

URBAN/MUNICIPAL

CA4 ON HBL AOS  
CSIT6  
1993

AGENDA / MINUTES  
OF THE TRANSPORT  
AND ENVIRONMENT  
COMMITTEE

AUGUST 23, 1993 TO  
OCTOBER 18/93







URBAN/MUNICIPAL  
CA4 ON HBL A05  
CS 176

1993

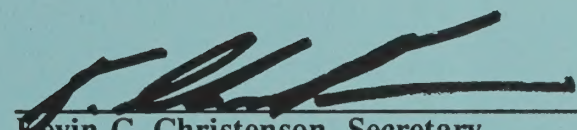
The Urban Municipal Collection  
2nd Floor  
Hamilton Public Library

1993 August 18

## NOTICE OF MEETING

### TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, 1993 August 23  
9:30 o'clock a.m.  
Room 233, City Hall

  
Kevin C. Christenson, Secretary  
Transport and Environment Committee

## AGENDA

1. DELEGATION: (9:30 o'clock a.m.)

By-law to Stop-up, Close and to Authorize  
the Sale of a portion of, and to alter the  
remainder of Beckley Street from John Street to James Street

2. CONSENT AGENDA





3. COMMISSIONER OF TRANSPORTATION/ENVIRONMENT SERVICES

- (a) Decontamination of PCBs by Sanexen Environmental Services Inc.  
for Laidlaw, Hamilton, Ontario
- (b) Decontamination of PCBs by TASSCO for J. I. Case Company

4. CITY CLERK

School Crossing Guard Service  
Intersection of Barton Street East and Nash Road

5. PARKING AUTHORITY BOARD

Parking Meter Rates

6. ALDERMAN V. J. AGRO

Queen Street South and Aberdeen Avenue -  
Proposed Northbound Right Turn Prohibition

7. ALDERMAN D. ROSS

Petition - Requesting Placement of Stop Signs at Cranbrook Drive and Stanlow Crescent  
and Cranbrook Drive and Greenshire Drive

8. ALDERMAN V. J. AGRO

355 MacNab Street North (In Camera)

9. OTHER BUSINESS

10. ADJOURNMENT







## Transport and Environment Committee Outstanding Items

Item No.	Items	Original Date	Action	Status
1.	Criteria and report of School Crossing Guards	1992 January 6	Director of Traffic Services	Comprehensive Report Pending
2.	Part-time Turn Prohibition James Mountain Road to Markland Street	1992 February 3	Director of Traffic Services	Report Pending Public Meeting
3.	Intersection of Flatt Avenue and Glenside Avenue	1992 August 17	Ald. M. Kiss	Tabled
4.	Intersection of Franklin Avenue and Longwood Road North	1992 August 17	Ald. M. Kiss	Tabled
5.	Reserved Parking for Physically Disabled	1992 Nov. 2	C.A.O.	Prepare Report
6.	Downsizing Sanitation Crews from Three Men to Two Men	1993 March 1	C.A.O. Director of Public Works Commissioner of Human Resources	Prepare Feasibility Study
7.	1 Hunter Street Disabled Parking	1993 April 5	Director of Traffic Services	Prepare Report
8.	Snow Removal Charge - 636 Upper Horning Road	1993 July 19	Director of Public Works	Prepare Report
9.	Three-way Stop - Mount Pleasant Drive and Pearson Avenue	1993 July 19	Director of Traffic Services	Report Back in 6 months
10.	Policy requesting Boulevard Parking for One, Two and Three Family Dwellings	1993 July 19	Director of Traffic Services	Prepare Report

Kevin C. Christenson, Secretary  
1993 August 23







1.

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** August 13, 1993

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

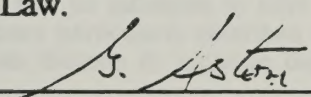
**FROM:** E. M. Gill, P.Eng.  
Senior Director  
Roads Department

**SUBJECT:**

By-law to stop-up, close and to authorize the sale of a portion of, and to alter the remainder of Beckley Street, from John Street to James Street. (R-93-69)

**RECOMMENDATION:**

- a) That the appropriate By-Law for the closure and sale of a portion of Beckley Street, being designated as Part 2, on Plan 62R-12475, and the alteration of the remainder of Beckley Street being designated as Part 1, on Plan 62R-12475, be forwarded to City Council for enactment.
- b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Law.

  
E. M. Gill, P. Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

- 1. The Transport and Environment Committee in its meeting on July 20, 1992, Item 15 of the 2nd Report, authorized the City to stop-up, close and the sale of part of the Public Highway, being part of Beckley Street (as established by City of Hamilton By-Law No. 4917).

(cont'd pg 2)



- Page 2 -  
August 13, 1993

**BACKGROUND (cont'd):**

2. The Council of the Corporation of the City of Hamilton approved the sale of the stopped and closed portion of Beckley Street on June 29, 1993, as Item 65 of the 8th Report of the Transport and Environment Committee, for \$432,700.00 to the Toronto Area Transit Operating Authority, and to alter the remainder of Beckley Street (not closed and stopped-up).

We have advertised the Public Notice for four (4) consecutive weeks in the Hamilton Spectator as required by Section 301 of the Municipal Act. To date, no objections have been received.

cb:HS/KML  
Encl.

cc/Mr. F. Angelici, Planning Department  
cc/Mr. M. Watson, Property Department



**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93-**

**TO STOP-UP, CLOSE AND SELL A PORTION,  
AND TO ALTER THE REMAINDER OF BECKLEY STREET  
FROM JOHN STREET TO JAMES STREET**

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

**AND WHEREAS** The Corporation of the City of Hamilton is the owner of Beckley Street described as Parts 1 and 2, on Plan 62R-12475;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Item 15 of the 2nd Report of the Transport and Environment Committee on January 20, 1992, authorized the City to stop-up, close and sell part of the Public Highway, being part of Beckley Street (as established by City of Hamilton By-Law No. 4917);

**AND WHEREAS** The Council of the Corporation of the City of Hamilton approved at its meeting held on June 29, 1993, Item 65, 8th Report of the Transport and Environment Committee, the sale to the Toronto Area Transit Operating Authority of Part 2, Plan 62R-12475, for the sum of \$432,700.00, all in accordance with and subject to the terms and conditions of an agreement dated June 17, 1993, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act;

**AND WHEREAS** Notice of the City's intention to pass this By-Law has been published as required by Section 301 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton at its meeting held on June 29, 1993, authorized that its intention to alter the remainder of Beckley Street not being closed and sold (more particularly described as Part 1, on Plan 62R-12475) by the construction of a median thereon to separate the open portion of Beckley Street for the section to be closed;

**AND WHEREAS** Notice of the City's intention to pass this By-Law to authorize the said alteration has been published as required by Section 301 of the Municipal Act for four (4) consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

**AND WHEREAS** the Council through its Transport and Environment Committee has heard all persons who applied to be heard, no matter whether in objection to or in support of this alteration By-Law;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of highway described as;

Part of Beckley Street, being formerly part of Lots 99, 100, 101 and 104, Market Reserve and Hughson Street, Registered Plan No. 1431, designated as Part 2, on Plan 62R-12475.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Are hereby stopped and closed.

Page 2

By-Law 93-

To stop-up, close and sell a portion, and to alter the remainder of Beckley Street from John Street to James Street

2. That subject to the easements provided for in paragraphs three and four below, the soil and freehold in that portion being closed described as Part 2, on Plan 62R-12475, be sold to the Toronto Area Transit Operating Authority for the sum of \$432,700.00 in accordance with the provisions of the agreement above noted.
3. That an easement be granted to the Regional Municipality of Hamilton-Wentworth over Part 2, on Plan 62R-12475.
4. That a 2 metre easement be granted to Union Gas for their underground Plant.
5. That the alteration to narrow Beckley Street by 11 m from James Street to 6 m westerly be undertaken.
6. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this

day of

A.D. 1993

City Clerk

Mayor



## **CONSENT AGENDA**

**Transport and Environment Committee  
Monday, 1993 August 23  
9:30 o'clock a.m.  
Room 233, City Hall**

### **A G E N D A**

#### **A. ADOPTION OF THE MINUTES**

**Minutes of the Meeting held 1993 July 19**

#### **B. DIRECTOR OF TRAFFIC SERVICES**

##### **i. Parking Regulations**

- (a) Golden Orchard Drive**
- (b) Both Sides of Simcoe Street West Between  
Bay Street North and MacNab Street North**
- (c) Dalcar Court**
- (d) Guildwood Drive**
- (e) West Side of East 27th Street, south of Fennell Avenue East**
- (f) Brigadoon Drive**
- (g) No. 23 Greendale Drive - Removal of a Wheelchair Loading Zone**
- (h) Dunsmure Road - Request to Remove a Reserved "Permit Parking"  
Space for a Disabled Resident at No. 68 Graham Avenue North**
- (i) No. 190 East 26th Street - Request for a Wheelchair Loading Zone**
- (j) No. 73 Leeming Street - Request for a Reserved "Permit Parking"  
Space for a Disabled Resident**
- (k) No. 293 Broadway Avenue - Request for a Reserved "Permit Parking"  
Space for a Disabled Resident**
- (l) Apartment Building at No. 148 Robinson Street -  
Application for a Time Limit Exemption Permit**





**ii. Intersection Control**

- (a) Intersection of Pinard Street and Selway Court
- (b) Intersection of Parklands Drive and Connor Court
- (c) Intersection of Acadia Drive and Fano Drive
- (d) Intersection of Limeridge Road West and Bonaventure Drive
- (e) Intersection Control in the Gourley Neighbourhood
- (f) Intersection of Brucedale Avenue and East 25th Street

**iii. Bus Stop Relocation**

- (a) Upper Gage - Bus Stop Relocation and New Routing
- (b) Limeridge Route - City of Hamilton

**C. DIRECTOR OF PUBLIC WORKS**

- i. Proposed Construction of an Independent Concrete Sidewalk on the East Side of Upper Ottawa Street from Stone Church Road to Approximately 275 m northerly
- ii. Construction of a Concrete Curb on the north side of Rennie Street from Waterloo Street to approximately 33.8 m easterly (east limit of 777 Rennie) and the construction of a concrete curb and sidewalk on the south side of Rennie Street from approximately 12.2 m east of Waterloo Street to approximately 12.2 m easterly (frontage of 776 Rennie)
- iii. Construction of a Concrete Alley, first north of Barton Street East from Tragina Avenue North to Weir Street North (east-west portion only)

**D. DIRECTOR OF PROPERTY**

- i. Alley Closure Abutting 73 Murray Street East  
Offer to Purchase Agreement  
Nadia Medill
- ii. Proposed Bus Shelter Installation  
Mohawk Road East at Upper Wentworth Street





**E. COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES**

- i. 1993 Servicing Expenditures Related to Subdivisions
- ii. Corsica Court Street Party
- iii. Westdale B.I.A.  
Temporary Closure of King Street West between North Oval and Cline Avenue
- iv. Greater Hamilton Aquafest
- v. Hess Village Grand Prix Bicycle Race Sunday, 1993 August 8
- vi. Temporary Closure of Webster Road
- vii. Encroachment Agreements

**F. CITY SOLICITOR**

- i. Local Improvements of Concrete Sidewalks and  
Curbs and Finished Roadway on Forbes Street - \$47,400.
- ii. Local Improvements of Finished Roadway on Acadia Drive - \$111,600.
- iii. Local Improvements of Concrete Sidewalks on Upper Wellington Street - \$25,300.

**G. MANAGER OF PURCHASING**

Supply and Delivery of Automotive Brake Parts during  
1993 and 1994, Public Works Department

**H. SECRETARY, TRANSPORT AND ENVIRONMENT COMMITTEE**

Information Reports





Monday, 1993 July 19  
9:30 o'clock a.m.  
Room 233, City Hall

2(A)

The Transport and Environment Committee met.

Present: Alderman H. Merling, Chairman  
Alderman V. J. Agro, Vice-Chairman  
Alderman B. Morelli  
Alderman D. Wilson  
Alderman F. Eisenberger  
Alderman T. Jackson  
Alderman F. D'Amico

Absent: Mayor R. M. Morrow, City Business  
Alderman M. Kiss, Vacation

Also present: Alderman D. Ross  
Alderman D. Agostino  
Ms. B. Price, Hamilton Safety Council  
Mr. J. G. Pavelka, Chief Administrative Officer  
Mr. M. Main, Director of Traffic Services  
Mr. D. Lobo, Director of Public Works  
Mr. R. Meiers, Department of Public Works  
Mr. B. Aldridge, Department of Public Works  
Mr. R. Buckle, Property Department  
Mr. P. Baker, Manager, Parking Authority  
Mr. J. Halliday, Senior, Director, Environmental Services  
Mr. G. Aston, Road Department  
Mr. P. Hooker, Law Department  
Mr. R. Hammel, Treasury Department  
Mr. M. Lahaie, 28 Mount Pleasant Drive  
Mr. T. Iuluzzi, 636 Upper Horning Road  
Mr. K. C. Christenson, Secretary

1. **DELEGATIONS**

(a) **Snow Removal Charge - 636 Upper Horning Road**

The Committee was in receipt of a report dated 1993 July 13 from the Director of Public Works respecting snow clearing charges at 636 Upper Horning Road. Mr. Tony Iuluzzi appeared before the Committee to appeal snow clearing charges in the amount of \$101.50. Mr. Iuluzzi informed the Committee that the notices left by the foreman had not been left in the mailbox but had been left on his front porch, an access to the house that he did not normally use. Alderman Ross stated that he supported Mr. Iuluzzi's appeal in that the property owner had not been given adequate notice. Mr. Lobo explained the snow clearing process and detailed the background of his report. Mr. Aldridge, the area foreman from the Public Works Department explained that the notice had been left at the front door of 636 Upper Horning Road as the area is serviced by super mailboxes and no mailbox was available at the house. Alderman D'Amico stated that he also supported the appeal and that the charges should be dropped. He further added that he felt that the costs applied to snow clearing by the City were too high.

The Committee then discussed the snow clearing procedure and notification to the residents and subsequently approved the following recommendation:

- (a) That the appeal by Mr. Iuluzzi for snow clearing charges totalling \$101.50 at 636 Upper Horning Road, be denied.
- (b) That staff be directed to report back on a departmental procedure regarding snow clearing of City sidewalks.



(b) **Three-Way Stop - Mount Pleasant Drive and Pearson Avenue**

The Committee is in receipt of correspondence dated 1993 July 5 from Mr. Mark Lahaie, 28 Mount Pleasant Drive respecting a request to the petition of over 80 residents who would like to see three-way stop signs implemented at the intersection of Mount Pleasant Drive and Pearson Avenue and Mount Pleasant Drive and Independence Drive.

The Committee was also in receipt of a report dated 1993 July 13 from the Director of Traffic Services respecting this request. A subsequent report dated 1993 July 16 from the Director of Traffic Services respecting the intersections of Mount Pleasant Drive and Pearson Avenue and Mount Pleasant Drive and Independence Drive was distributed to Committee Members.

Mr. Lahaie appeared before the Committee and stated that three-way stops at these intersections would deter speeding and ensure neighbourhood safety. Alderman Jackson stated that he and Alderman Charters had both been involved in the issue and both supported the residents in implementing three-way stops at the locations indicated. Alderman Charters stated that he supported the request and that the stop signs would deter motorists from utilizing Mount Pleasant Drive as a short cut through the neighbourhood. He stated that the petition indicated support from neighbourhood residents. The Committee then discussed the merits of informing the police of the situation and having them monitor the area.

Following further discussion, the Committee approved the following recommendation:

- (a) That a three-way stop control be implemented at the intersection of Independence Drive and Mount Pleasant Drive.
- (b) That the City Traffic By-law 89-72 be amended accordingly.

The Committee then recommended that staff report back in 6 months time on the effect of this stop sign implementation.

A. **ADOPTION OF THE MINUTES**

The minutes of the meeting held 1993 June 21 were adopted as circulated.

B. **DIRECTOR OF PUBLIC WORKS**

**Construction of a Concrete Alley, First South of Cannon Street East from Wentworth Street to Approximately 72 m Westerly**

The Committee was in receipt of a report dated 1993 June 21 from the Director of Public Works respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the construction of a concrete alley first south of Cannon Street East from Wentworth Street to approximately 72 m westerly proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$27,900. with a City's Share of \$16,390. and an Owner's Share of \$11,510. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the total Owner's Share of \$11,510. be paid by the Municipal Non-Profit (Hamilton) Housing Corporation; and,
- (c) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (d) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.

**C. COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES****(a) Trout Unlimited Canada**

The Committee was in receipt of a report dated 1993 July 5 from the Senior Director, Environmental Services Department respecting the above-noted subject.

The Committee approved the following recommendation:

That the City of Hamilton participate in Trout Unlimited Canada's "Storm Drain Marking Program" at the cost of Trout Unlimited or other agencies, but not the City of Hamilton.

**(b) 1993 Servicing Expenditures Related to Subdivisions**

The Committee was in receipt of a report dated 1993 July 8 from the Senior Director, Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the submitted schedule of works be adopted for inclusion in the subdivision agreements with the Owners for the estimated cost of services in:

"HAMILTON GOURLEY - PHASE 1", Hamilton

City's Share - NIL, Owner's Share - \$19,492.

"ORCHARD PARK ESTATES - PHASE 2", Hamilton

City's Share - \$3,696., Owner's Share - \$83,868.

"ORCHARD PARK ESTATES - PHASE 3", Hamilton

City's Share - \$8,260., Owner's Share - \$95,746.

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreements with the owners of "Hamilton Gourley - Phase 1", Hamilton, "Orchard Park Estates - Phase 2", Hamilton and "Orchard Park Estates - Phase 3", Hamilton as well as any other related documents for these developments, subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the final plans and subdivision agreements have been registered.
- (d) That in the event the Owners wish to proceed prior to the registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for Pre-Servicing.
- (e) That the City's share of services in "Orchard Park Estates - Phase 2", Hamilton (\$3,696.) and "Orchard Park Estates - Phase 3", Hamilton (\$8,260.) be approved and that the Finance and administration Committee recommend the source of funding for these projects.

**(c) Street Incorporation**

The Committee was in receipt of a report dated 1993 July 8 from the Senior Director, Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the following City lands be incorporated into the street in order to complete the final street width:
- |              |                 |                |
|--------------|-----------------|----------------|
| Butler Drive | Parts 11 and 14 | Plan 62R-10568 |
|--------------|-----------------|----------------|
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.



- (d) **By-law Amendments**  
**By-law No. 92-291 and By-law No. 92-292**  
**Street Incorporation - Gondola Street and Duncairn Crescent**

The Committee was in receipt of a report dated 1993 July 8 from the Senior Director, Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the preamble in By-law No. 92-291 and By-law No. 92-292, which incorporated Parts 3 and 7 on Plan 62R-12372, into Gondola Street and Duncairn Crescent respectively, both be amended to read "Part of Parcel 18-6, Section Bar.7", instead of Parcel 18-1.
  - (b) That the by-laws to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
  - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
- (e) **1993 User Fees Amendment**

The Committee was in receipt of a report dated 1993 July 12 from the Senior Director, Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

That the user fee schedule approved by City Council on 1992 December 8 and as amended on 1993 February 9 as Section 40 of the Second Report of the Transport and Environment Committee, be amended to increase the Registration fees for City documents from \$27. to \$50. as determined by the Land Registry Office, and that the Commissioner of Transportation/Environmental Services be authorized to amend the fees in accordance with any future imposed increases in Registration fees.

\* Alderman Agro recorded as opposed.

**D. DIRECTOR OF PROPERTY**

- (a) **Offer to Purchase Road Closure**  
**Part of Belview Avenue, Part 3, Plan 62R-12325 to**  
**Glendale Realty Holdings Inc.**  
**Part 2, Plan 62R-12325 to Barrealco Inc.**

The Committee was in receipt of a report dated 1993 July 6 from the Director of Property respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That an Offer to Purchase (Highway Closure), executed on 1993 June 28 by Mr. Mark Litwin, Director, on behalf of Glendale Realty Holdings Inc., and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph 8 of said Agreement, but in any event no later than 1993 December 16, for the sale of part of Belview Avenue, designated as Part 3, 62R-12325, more particularly described as having a width of 7.621 metres (25.0 feet) by 89.753 metres/89.694 metres (294.46 feet/294.27 feet) and containing an area of 0.068 hectares (0.16803 acres), be approved and completed, and the funds derived from this sale of \$5,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the City's deed to the Purchaser be subject to an easement in favour of the Regional Municipality of Hamilton-Wentworth, Union Gas Limited, Bell Telephone Company, Ontario Hydro, Hamilton Hydro and the Local Cablevision Company over Part 3, 62R-12325, or such lesser areas as required by the above parties.

(c) That this sale be conditional upon:

- i. The Purchaser confirms that the sale of the land in the Offer to Purchase to the Purchaser by the City is a condition or requirement of the Purchaser's agreeing to use the access route including the said Part One, 62R-12325, and other relating lands.

Accordingly, the Purchaser agrees that the deed to him of the land in the Offer to Purchaser, which he shall execute before closing, shall include the Purchaser's covenant to the City that, in the event that an Agreement dated 1993 March 22, entered into by the City and Glendale Realty Holdings Inc., regarding the use of part One, 62R-12325 and adjacent land, is not complied with by Glendale Realty Holdings Inc., that the Purchaser for itself, its successors and assigns agrees that it shall, if required by the City, reconvey the land (described in the Offer to Purchase) to the City for the sum of \$1., free and clear of all encumbrances (except the easements referred to herein) and without compensation for any improvements, alterations or other expenses incurred by the Purchaser in respect of the said land or the said reconveyance to the City.

The parties agree to revisions to this said paragraph, if necessary, to ensure registration of the City's deed to the Purchaser incorporating the said paragraph.

- ii. The closing of the sale of the closed portion of Belview Avenue from the City to the Purchaser shall not result in the termination of the terms of this Agreement between the parties by merger. The terms of this Agreement remaining to be performed by the parties shall continue in full force and effect notwithstanding the said conveyance of lands by the City to the Purchaser.

- (a) That an Offer to Purchase (Highway Closure), executed on 1993 June 28 by Mr. Mark Litwin, Sole Director and President, on behalf of Barrealco Inc. (a subsidiary of Glendale Spinning Mills), and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in Paragraph 8 of said Agreement, but in any event no later than 1993 December 16, for the sale of part of Belview Avenue, designated as Part 2, 62R-12325, more particularly described as having a width of 7.621 metres (25.0 feet) by 89.694 metres/89.636 metres (294.27 feet/294.08 feet) and containing an area of 0.068 hectares (0.16803 acres), be approved and completed, and the funds derived from this sale of \$5,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).

- (b) That the City's deed to the Purchaser be subject to an easement in favour of the Regional Municipality of Hamilton-Wentworth, Union Gas Limited, Bell Telephone Company, Ontario Hydro, Hamilton Hydro and the Local Cablevision Company over Part 2, 62R-12325, or such lesser areas as required by the above parties.

(c) That this sale be conditional upon:

- i. The Purchaser confirms that the sale of the land in the Offer to Purchase to the Purchaser by the City is a condition or requirement of the Purchaser's agreeing to use the access route including the said Part One, 62R-12325, and other relating lands.

Accordingly, the Purchaser agrees that the deed to him of the land in the Offer to Purchaser, which he shall execute before closing, shall include the Purchaser's covenant to the City that, in the event that an Agreement dated 1993 March 22, entered into by the City and Glendale Realty Holdings Inc., regarding the use of Part 1, 62R-12325 and adjacent land, is not complied with by Glendale Realty Holdings Inc., that the Purchaser for itself, its successors and assigns agrees that it shall, if required by the City, reconvey the land (described in the Offer to Purchase) to the City for the sum of \$1., free and clear of all encumbrances (except the easements referred to herein) and without compensation for any improvements, alterations or other expenses incurred by the Purchaser in respect of the said land or the said reconveyance to the City.



v. **Intersection of Delawana Drive and Riverdale Drive**

The Committee was in receipt of a report dated 1993 June 25 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That three-way stop control be implemented at the intersection of Delawana Drive and Riverdale Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(b) **Parking Regulations**

i. **North Side of Strawberry Dr. (south leg) West Side of Strawberry Dr. (east leg)**

The Committee was in receipt of a report dated 1993 June 9 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "No Parking" regulation be implemented on the north and west sides of Strawberry Drive commencing at a point 260 feet south of Cranberry Drive and extending to a point 117 feet west of Strawberry Drive (east leg); and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

ii. **Glen Road and Tope Crescent**

The Committee was in receipt of a report dated 1993 June 21 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing full time "No Parking" regulation on the north side of Glen Road commencing 320 feet east of Macklin Street and extending to a point 395 feet easterly therefrom, be revised such that the regulation will be in effect from 8:00 a.m. to 5:00 p.m., Monday to Friday"; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

iii. **Chilton Place**

The Committee was in receipt of a report dated 1993 June 23 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "No Parking, 8:00 a.m. to 12 noon, every second Tuesday of each month" regulation on both sides of Chilton Place be removed; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

iv. **West Side of Ferguson Avenue North**

The Committee was in receipt of a report dated 1993 July 8 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "No Parking" regulation be implemented on the west side of Ferguson Avenue North commencing 80 feet south of Wilson Street and extending to a point 64 feet southerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

v. **Butler Drive between Acadia Drive (north leg) and Acadia Drive (east leg)**

The Committee was in receipt of a report dated 1993 June 28 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "No Parking" regulation be implemented on the west side of Butler Drive commencing at Acadia Drive (north leg) and extending to the west property line of St. Jean de Brebeuf School; and
- (b) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north and east sides of Butler Drive commencing at Acadia Drive (north leg) to Acadia Drive (east leg); and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

vi. **Glendale Avenue North**

The Committee was in receipt of a report dated 1993 July 7 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "Alternate Side Parking" regulation on Glendale Avenue North between Barton Street East and Cannon Street East be removed; and
- (b) That a "No Parking" regulation be implemented on the west side of Glendale Avenue North between Barton Street East and Cannon Street East; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

vii. **Kelly Street**

The Committee was in receipt of a report dated 1993 July 7 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the north side of Kelly Street commencing at a point 98 feet west of Cathcart Street and extending to a point 42 feet westerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to the residents of Nos. 73 and 75 Kelly Street; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

viii. **No. 28 Fraser Avenue -  
Request for a Reserved "Permit Parking" Space for a Disabled Resident**

The Committee was in receipt of a report dated 1993 July 8 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the east side of Fraser Avenue commencing at a point 172 feet north of Campbell Avenue and extending to a point 24 feet northerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Donna McElroy, No. 28 Fraser Avenue; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.



ix. **54 Chestnut Ave. - Request to Remove an Existing Wheelchair Loading Zone**

The Committee was in receipt of a report dated 1993 July 8 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 9:00 p.m., seven days a week" regulation on the east side of Chestnut Avenue commencing at a point 188 feet north of Cannon Street and extending to a point 22 feet northerly therefrom be removed; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

x. **Princeton Drive**

The Committee was in receipt of a report dated 1993 July 8 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the east side of Princeton Drive which commences at Sherwood Rise and extends to a point 160 feet northerly therefrom be removed; and
- (b) That the existing "No Stopping" regulation on the east side of Princeton Drive which commences at Margate Avenue and extends to a point 109 feet southerly therefrom be extended, such that the regulation commences at Margate Avenue and extends to a point 134 feet southerly therefrom; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

xi. **Lisgar Neighbourhood**

The Committee was in receipt of a report dated 1993 July 5 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That three-way stop control be implemented at the intersection of Lennox Street and Lockheed Drive; and
- (b) That northbound traffic on Leduc Street be required to stop for eastbound and westbound traffic on Carson Drive; and
- (c) That southbound traffic on Leduc Street be required to stop for eastbound and westbound traffic on Laird Drive; and
- (d) That eastbound traffic on Laird Drive be required to stop for northbound and southbound traffic on Kingsberry Street; and
- (e) That southbound traffic on Kingsberry Street be required to stop for eastbound and westbound traffic on Lockheed Drive; and
- (f) That southbound traffic on Palace Boulevard be required to stop for eastbound and westbound traffic on Lockheed Drive; and
- (g) That westbound traffic on Knights Court be required to stop for northbound and southbound traffic on Palace Boulevard; and
- (h) That westbound traffic on Embassy Drive be required to stop for northbound and southbound traffic on Palace Boulevard; and
- (i) That the City Traffic By-law 89-72 be amended accordingly.

(c) **Corner Clearances**

i. **West Side of Weir Street North, north of Vansitmart Avenue**

The Committee was in receipt of a report dated 1993 June 23 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "No Stopping" regulation be implemented on the west side of Weir Street north commencing at Vansitmart Avenue and extending to a point 96 feet northerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

ii. **Intersection of Hadeland Avenue and Wendover Drive**

The Committee was in receipt of a report dated 1993 July 6 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "No Stopping" regulation be implemented on the north side of Hadeland Avenue commencing at Wendover Drive and extending to a point 50 feet easterly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(d) **Application for a Time Limit Exemption Permit**

**Apartment Building at No. 262 Glencarry Avenue**

The Committee was in receipt of a report dated 1993 July 8 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first four eligible applicants residing in the apartment building at No. 262 Glencarry Avenue.

(e) **Neighbourhood Watch Program**

**Templemead Neighbourhood**

- (a) That the Templemead Neighbourhood be designated as a Neighbourhood Watch Area; and
- (b) That Neighbourhood Watch signs for the Templemead Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
- (c) That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program), and supplemented as required by the Traffic Department Account No. CH56XXX 75420, Installation of New Signs.



## (f) Discharge of Residential Boulevard Parking Agreement

## No. 143 Edgemont Street North

The Committee was in receipt of a report dated 1993 June 28 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing residential boulevard parking agreement registered as Instrument No. 64223 C.D. to the property at No. 143 Edgemont Street North be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.

F. SECRETARY, TRANSPORT AND ENVIRONMENT COMMITTEE

The Committee was in receipt of a report dated 1993 July 12 from the Secretary, Transport and Environment Committee respecting Information Reports.

The Committee approved the following recommendation:

That the sub-joined information reports that were previously distributed to the Transport and Environment Committee, be received:

1993 April 28	Murray F. Main Director of Traffic Services	Attendance at the 1993 International Conference of the Institute of Transportation Engineers	1993 June 16
1993 June 14	Doug Lobo, Director Public Works Department	City of Hamilton Elm Tree Protection - Research Project	1993 June 17
1993 June 14	Doug Lobo, Director Public Works Department	1993 Reconstruction Programme Sidewalks on Regional Roads	1993 June 17
1993 June 17	Doug Lobo, Director Public Works Department	Pigeon Control Programme	1993 June 22
1993 June 17	Joe Pavelka Chief Administrative Officer and Doug Lobo, Director Public Works Department	Roadway Spill Clean Up	1993 July 6
1993 June 29	Doug Lobo Director of Public Works	International Society of Arboriculture Ontario Chapter Tree Climbers' Jamboree	1993 July 13
1993 July 6	Murray Main, Director of Traffic Services	Pedestrian Priority Signal Candidate Locations	1993 July 13

**3. PLANNING AND DEVELOPMENT COMMITTEE****Policy requesting Boulevard Parking for One, Two and Three Family Dwellings**

The Committee was in receipt of a report dated 1993 March 11 from the Secretary, Planning and Development Committee respecting the above-noted subject.

Following considerable discussion, the Committee approved the following recommendation:

That the Director of Traffic Services be directed to report back on the issue of amending the Policy respecting Boulevard Parking for One, Two and Three Family Dwellings to require a minimum of 50 percent of the boulevard area be provided and maintained as a landscaped area.

**4. FEDERATION OF CANADIAN MUNICIPALITIES****Request for Resolutions for Consideration at the September 1993 Meeting of F.C.M. National Board of Directors**

The Committee was in receipt of correspondence dated 1993 July 7 from Vivane Swann, Resolutions Policy Analyst, Federation of Canadian Municipalities respecting the above-noted subject.

The Committee approved that the item be received.

**5. DIRECTOR OF PUBLIC WORKS****Ice Storm Damage - Chipping/Stumping, April, 1993**

The Committee was in receipt of a report dated 1993 July 13 from the Director of Public Works respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the Public Works Department, Parks Division, Forestry Section, be authorized to undertake stumping associated with removal of trees (Ice Storm - April 1993) and chipping of stockpiled brush/branch debris.
- (b) That the 1993 projected budgetary impacts of the chipping/stumping work of approximately \$47,000. be charged to the City's Road and Sidewalk Reconstruction Program.
- (c) That due to existing budgetary constraints and projected costs associated with tree replacement, staff be authorized to defer indefinitely this work at properties affected by the April 1993 Ice Storm.

**6. DIRECTOR OF TRAFFIC SERVICES****(a) Request for additional Taxi Stands  
North Side of Rebecca Street between  
John Street North and Catharine Street North**

The Committee was in receipt of a report dated 1993 July 9 from the Director of Traffic Services respecting the above-noted subject.

Following a brief discussion, the Committee approved the following recommendation:

That no action be taken on the request for additional Taxi Stands on Rebecca Street.



(b) **Opening of Harbourfront Park - Traffic Control on Bay Street North**

The Committee was in receipt of a report dated 1993 July 6 from the Director of Traffic Services respecting the above-noted subject.

Following a brief discussion, the Committee approved the following recommendation:

- (a) That the northbound and southbound stop signs on Bay Street North at Strachan Street and at Simcoe Street be removed; and
- (b) That a three-way stop control be implemented at the intersection of Bay Street North and Harbour Front Drive; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

Subsequently, the Committee directed the Chief Administrative Officer to arrange a special City Council meeting prior to Regional Council meeting on 1993 July 19 in order to approve the traffic control on Bay Street North prior to the official opening of the Harbourfront Park.

(c) **Sanford Avenue South at Rutherford Avenue -  
Intersection Control - Parking Regulations**

The Committee was in receipt of a report distributed at the meeting dated 1993 July 16 from the Director of Traffic Services respecting the above-noted subject.

Alderman Morelli brief spoke to the issue and subsequently, the Committee approved the following recommendation:

- (a) That a "No Parking" regulation be implemented on the east side of Sanford Avenue South between the south curb line of Rutherford Avenue and a point 99 feet north of Cumberland Avenue; and
- (b) That northbound and southbound stop control be implemented on Sanford Avenue South at Rutherford Avenue; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

7. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

**Taken as read and approved,**

**Kevin C. Christenson**  
Secretary

**ALDERMAN H. MERLING, CHAIRMAN**  
**TRANSPORT AND ENVIRONMENT COMMITTEE**

**1993 July 19**

2(BXiXa)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 July 16

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** Mr. M. F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

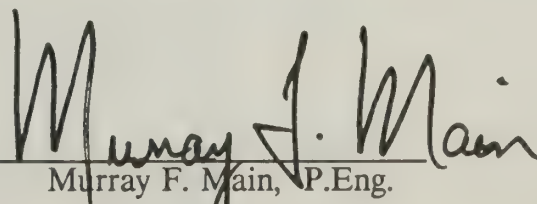
Golden Orchard Drive - Parking Regulations. [TEC-168-93]

**RECOMMENDATION:**

- a) That the existing "No Parking" regulation on the south and west sides of Golden Orchard Drive which commences at a point 126 feet west of Brigadoon Drive and extends to a point 215 feet northerly therefrom be shortened such that the regulation commences at a point 182 feet west of Brigadoon Drive and extends to a point 159 feet northerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of relocating the required signs.

  
Murray F. Main, P.Eng.

**BACKGROUND:**

The Traffic Department was recently contacted by Scott Sterling, 230 Golden Orchard Drive, requesting that the existing "No Parking" regulation on the south and west sides of the street be shortened to provide additional on-street parking. Staff contacted the other two abutting residents and both stated that they support this request.

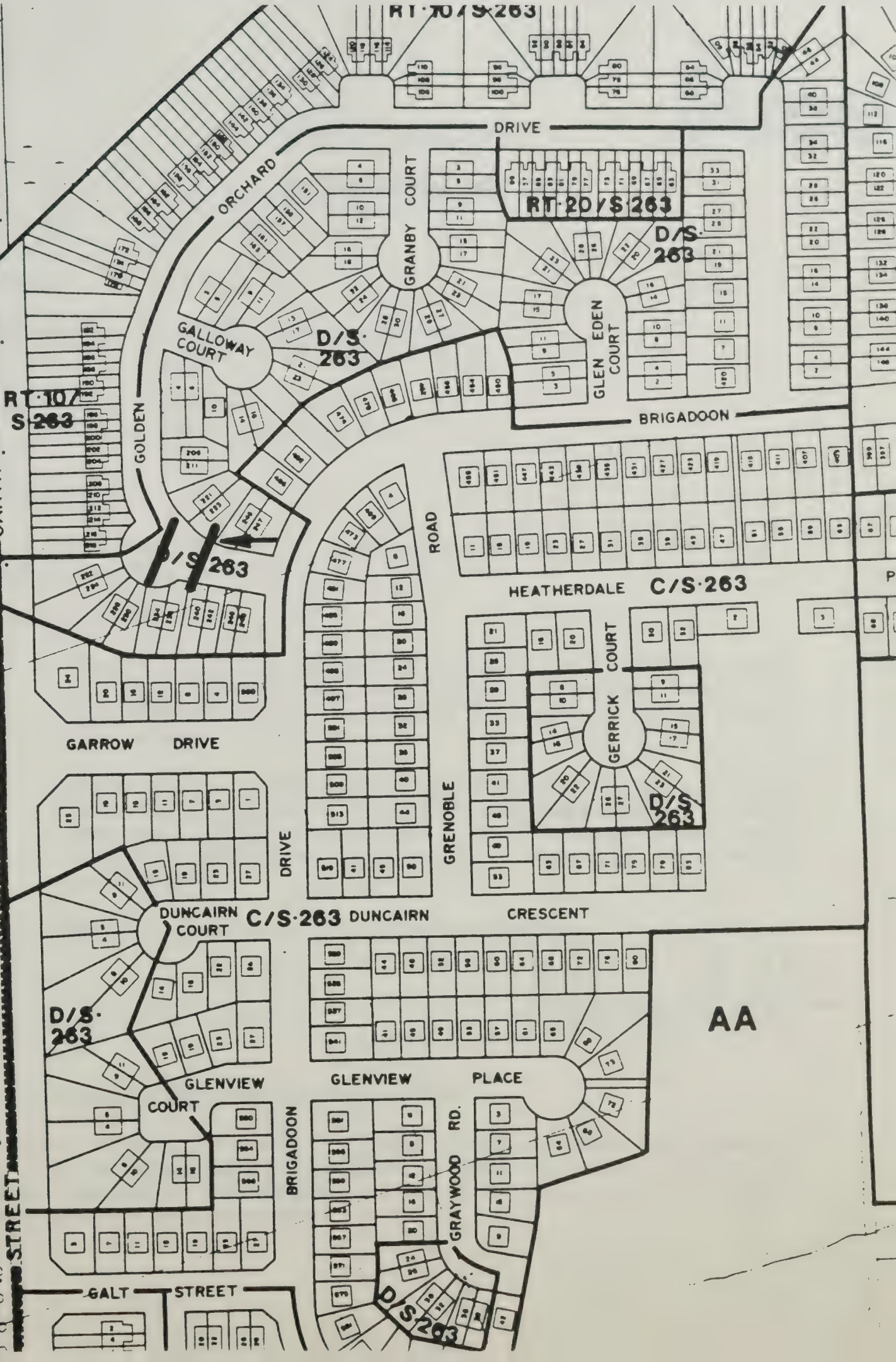


Golden Orchard Drive has a 26 foot pavement width, and presently, there is unrestricted parking on both sides of the street except for a parking prohibition on both sides of the curve in the road. Mr. Sterling has expressed concern regarding a shortage of on-street parking near his home.

The Traffic Department considers a parking prohibition on both sides of residential streets such as this to be over-restrictive and unnecessary. The implementation of the requested regulation would not eliminate the parking prohibition from both sides of the curve but would provide two additional legal on-street parking spaces in front of the applicant's homes. Therefore, since the two abutting residents support the removal of the parking prohibition directly in front of their homes, the Traffic Department concurs with this request.

*MT*  
MT/CVB/ks

GARTH STREET







LexiXb)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 04

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

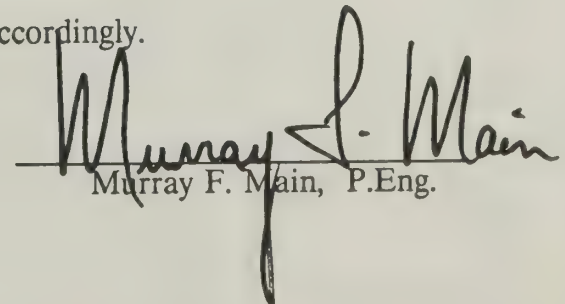
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Both sides of Simcoe Street West between Bay Street North and MacNab Street North -  
Parking Regulations. [TEC-172-93]

**RECOMMENDATION:**

- a) That a "Permit Parking" regulation be implemented on both sides of Simcoe Street West between Bay Street North and MacNab Street North in place of the existing "One Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation; and
- b) That the Director of Traffic Services be authorized to issue two parking permits to residents of Nos. 31, 32, 35, 38, 40 and 42 Simcoe Street and No. 364 Bay Street North and one parking permit to residents of Nos. 28, 33, 34, 36, 44 and 46 Simcoe Street, and any additional permits (to a maximum of twenty-two) on a first come first served basis; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, there is a potential for \$264.00 in revenue each year from the sale of parking permits which would off-set the cost to some degree.



## BACKGROUND:

The Traffic Department has received a petition signed by representatives of 14 of the 16 one, two and three family dwellings abutting Simcoe Street West between Bay Street North and MacNab Street North requesting that the existing "One Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation be replaced with a "Permit Parking" regulation on both sides of the street in this area.

Simcoe has a 28 foot pavement width, and presently, there is a "One Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation on both sides of the street in this area. The resident who circulated the petition has expressed concern regarding long-term parking by residents who possess time limit exemption permits for this area but do not reside on Simcoe. The implementation of the requested regulation would reduce long-term parking and abutting residents of one, two and three family dwellings may be eligible to purchase permits at a cost of \$12.00 per permit each year to exempt their vehicles from the signed "Permit Parking" regulation.

An investigation has revealed that there are 22 legal on-street parking spaces in this block. It was indicated on the petition that a total of 20 permits would be required. There would be two parking permits remaining, which would be available for the two residents who did not sign the petition. Our investigation also revealed that the nearby streets in this area are heavily parked and have primarily unrestricted parking on both sides. However, there is also time limit parking available in this area on Mary and Strachan. Therefore, since 88 percent of the abutting residents support the request for a "Permit Parking" regulation, and since the demand for permits does not exceed the number of on-street parking spaces, the Traffic Department concurs with the request.

24  
MT/CVB/sw

F-1/S-838

F-1

D/S-176

F-1

F-1

FERRIE

STREET

DE/S-65

ROAD CLOSED  
BY-LAW No.92  
133

STREET

STREET

AMES

MACNAB

NORTH

NORTH

WEST

NORTH

WEST

DE-3

STREET

MACAULEY STREET

BAY

NICHOL STREET

STREET

NORTH

WOOD

BURLINGTON

LEADER DRIVE

D

STREET NORTH

WEST

H/S 818

887

877

867

857

847

837

827

817

807

797

787

777

767

757

747

737

727

717

707

697

687

677

667

657

647

637

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617

607

597





2(BX)(K)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 July 26

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

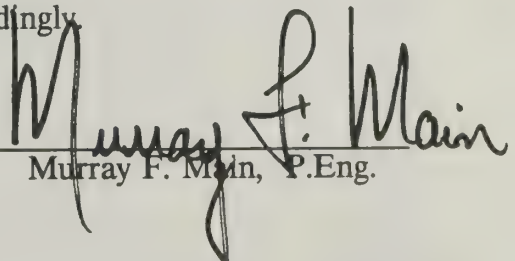
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Dalcar Court - Parking Regulations [TEC-176-93]

**RECOMMENDATION:**

- (a) That parking be prohibited on both sides of Dalcar Court from Upper Paradise Road to the easterly end; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.


**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

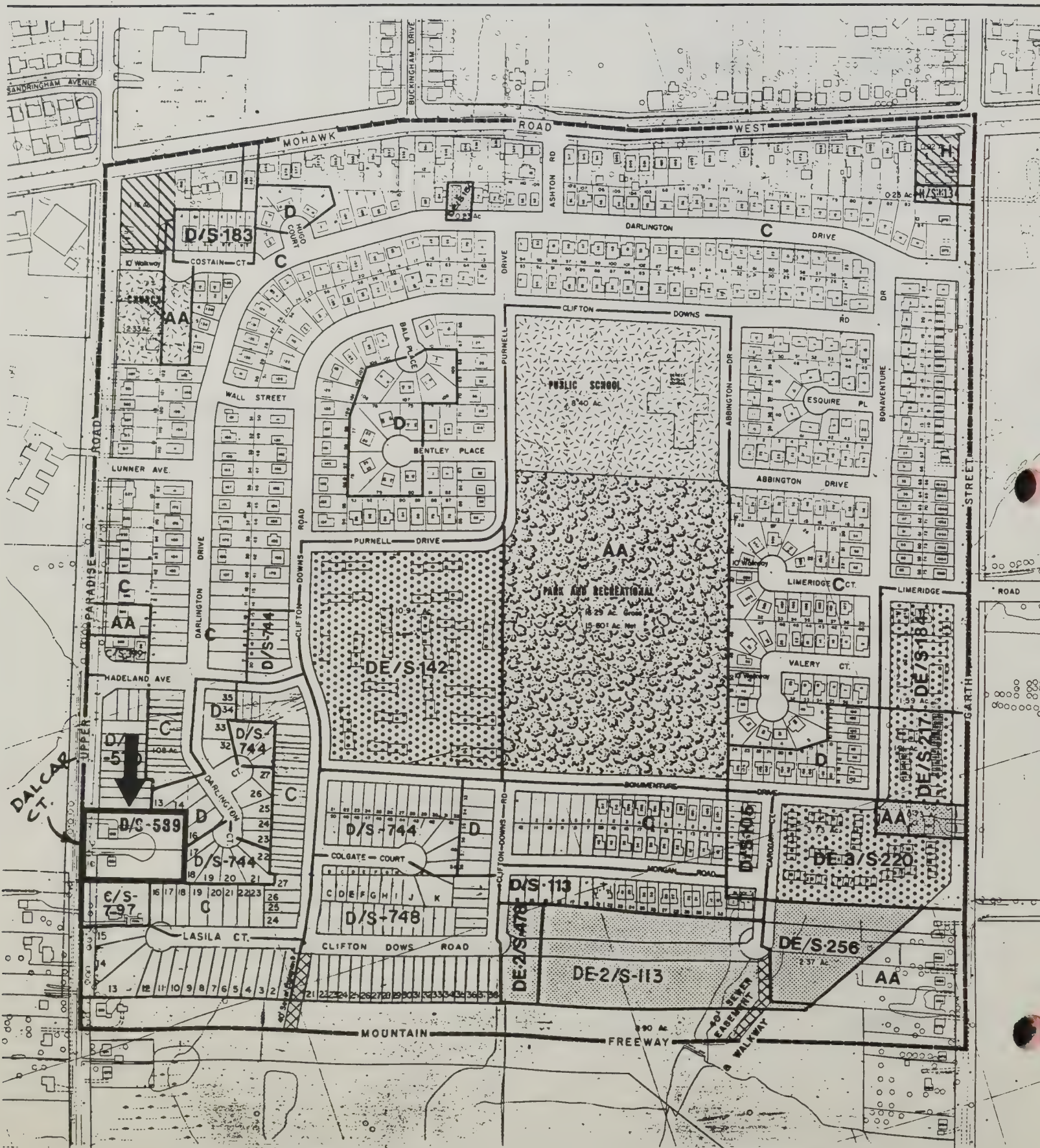
Sufficient funds have been provided in the 1993 Traffic Department budget estimates to cover the cost of manufacturing, erecting and maintaining the required "No Parking" signs.

**BACKGROUND:**

Alderman Frank D'Amico has forwarded to the Traffic Department, a petition signed by representatives of all six homes abutting Dalcar Court requesting that parking be prohibited on both sides of this recently constructed cul-de-sac.

The Traffic Department generally considers a parking prohibition on both sides of a local residential street to be over-restrictive and unnecessary. However, since all of the abutting residents are in support of the regulation, and since all have off-street parking provided, the Traffic Department concurs with the request.

  
MH/jd



NOTE - THIS IS A GUIDE PLAN ONLY AND IS SUBJECT TO CHANGE, FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH



2(21)(1)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 10

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

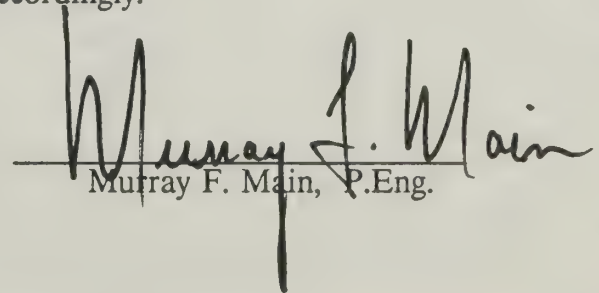
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Guildwood Drive - Parking Regulations. [TEC-183-93]

**RECOMMENDATION:**

- a) That a "No Parking" regulation be implemented on the south and south-west sides of Guildwood Drive commencing at a point 98 feet north-west of the extended curb line of Gilcrest Street and extending to a point 153 feet westerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

Alderman Don Ross recently contacted the Traffic Department requesting that we consider the implementation of a "No Parking" regulation on the south and south-west sides of Guildwood Drive directly in front of Nos. 65, 67 and 77 since parked cars in this area may create a visibility obstruction for motorists on the inside of the curve in the roadway.

Guildwood has a 28 foot pavement width, and presently, there is unrestricted parking on the south and south-west sides and a parking prohibition on the north side in this block except for a "No Stopping" corner clearance on the north side immediately west of Gilcrest.

An investigation has confirmed that parked vehicles on the inside of the curve in the roadway do obstruct motorists' visibility somewhat and therefore, the Traffic Department concurs with this request.

The implementation of the requested regulation will result in a loss of approximately three legal on-street parking spaces directly in front of Nos. 65, 67 and 77 Guildwood. Staff contacted the abutting residents and two support, one does not. However, since virtually all area residents have available off-street parking and since there is unrestricted parking on the remainder of the south and south-west sides of the street, the Traffic Department does not anticipate any parking difficulties for area residents.

  
MT/CVB/ks

MOUNTAIN FREEWAY

D/S-405

GUILDWOOD DRIVE  
D/S-452  
& S-320

RT-10

GILCREST ST.

STREET

FIRENZE

GREENCEDAR

DRIVE

GOLFWOOD

GOLDWIN ST.

DRIVE

GOLDWIN CT.

TREVI

VENETIAN DR.

R4

AA

D/S-4

RT

DRIVE





CITY OF HAMILTON

- RECOMMENDATION -

2(8X1Xc)

**DATE:** 1993 August 12

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

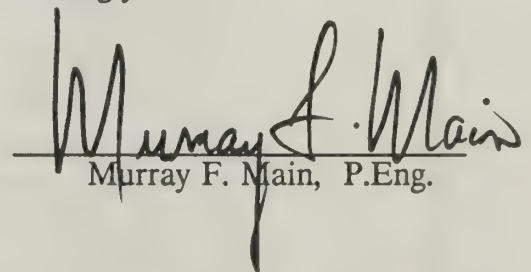
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

West Side of East 27th Street, south of Fennell Avenue East - Parking Regulations. [TEC-191-93]

**RECOMMENDATION:**

- a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., seven days a week" regulation on the west side of East 27th Street between Fennell Avenue East and the extended south curb line of MacKenzie Road be revised, such that the regulation commences at a point 136 feet south of Fennell Avenue East and extends to the extended south curb line of MacKenzie Road; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of revising the subject signs.

**BACKGROUND:**

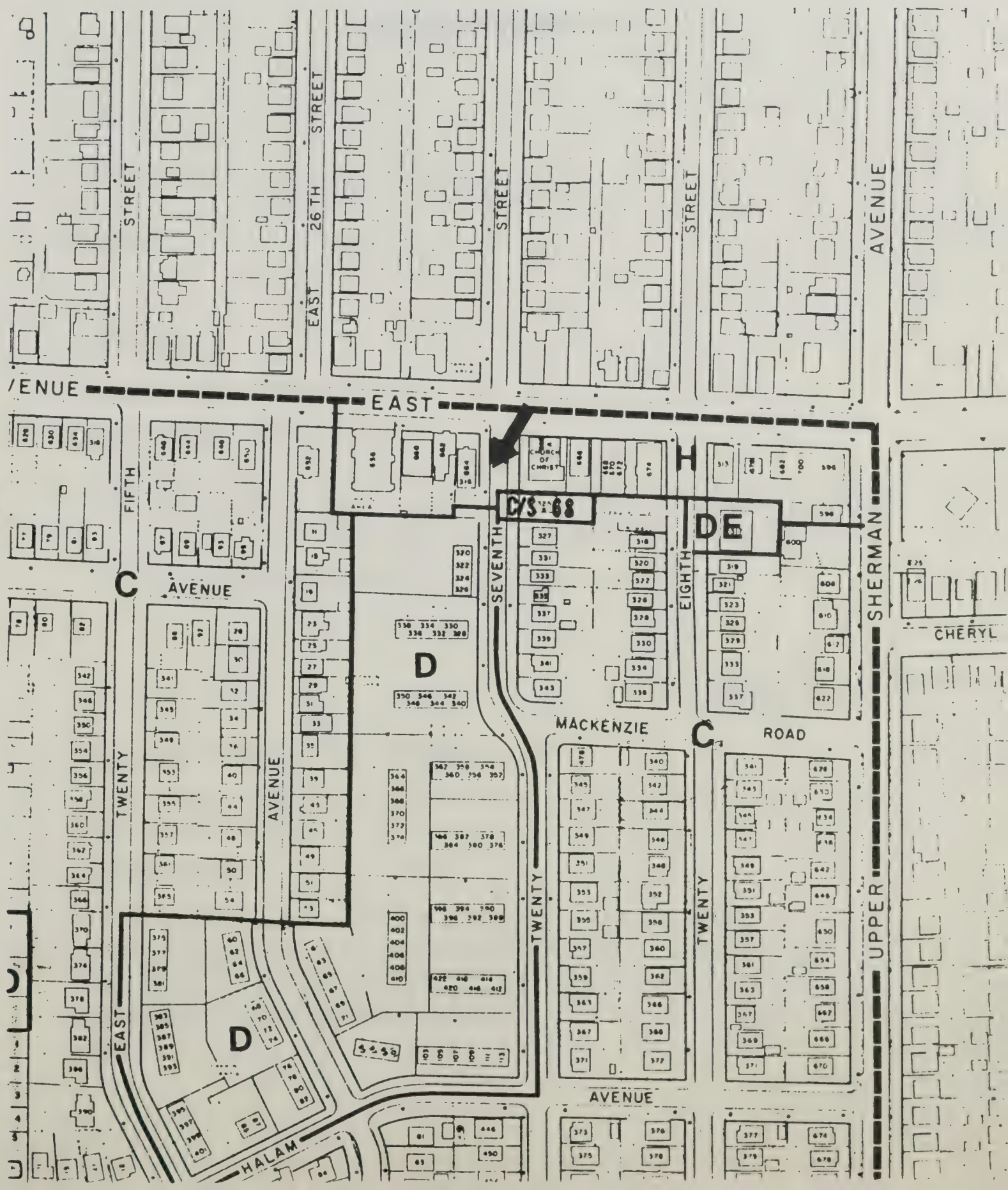
City Council recently approved a request to implement a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., seven days a week" regulation on the west side of East 27th between Fennell and MacKenzie and the signs were erected shortly thereafter. However, Alderman Henry Merling has advised of a request from Mr. Ray Edwards who is the owner of the

commercial business on the south-west corner of Fennell and East 27th that a portion of the existing one hour limit adjacent to his business be removed to provide some long-term parking for his clients and employees.

The Traffic Department has reviewed this matter and concurs with the request. The implementation of requested revision will restore approximately five unrestricted parking spaces to the west side of the street immediately south of Fennell.

<sup>C-3</sup>  
CVB/MH/ca







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**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 July 28

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

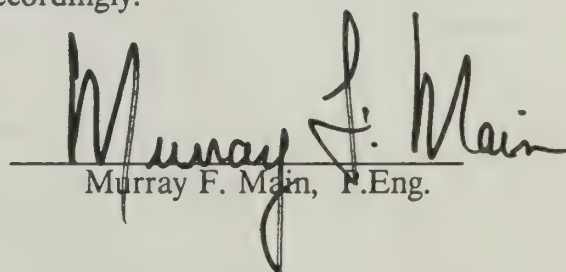
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Brigadoon Drive - Parking Regulations. [TEC-173-93]

**RECOMMENDATION:**

- a) That the existing "Alternate Side Parking" regulation on Brigadoon Drive between Garrow Drive and Fiona Crescent (east leg) be shortened, such that the regulation commences at Grenoble Road and extends to Fiona Crescent (east leg); and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of removing the signs.

**BACKGROUND:**

The Traffic Department has received a petition signed by representatives of all of the existing residential dwellings on Brigadoon Drive between Garrow Drive and Fiona Crescent (east leg) requesting that the existing "Alternate Side Parking" regulation be shortened such that it commences at Grenoble Road and extends to Fiona Crescent (east leg). Sixteen of the seventeen residents who signed the petition support the request and one resident is opposed.



Brigadoon has a 28 foot pavement width, and presently, there is an "Alternate Side Parking" regulation in this area except for a parking prohibition on the south side of the street, between Golden Orchard and Grenoble. In December of 1992, City Council approved an "Alternate Side Parking" regulation on Brigadoon between Garrow and Fiona (east leg) to facilitate traffic flow and driveway movements as a result of a sufficiently signed petition. However, the resident who circulated the current petition has expressed concern that due to that existing "No Parking" regulation on the south side, when parking is fixed to that side under the existing "Alternate Side Parking" regulation, residents in this area have no convenient on-street parking. The proposed shortening of the existing "Alternate Side Parking" regulation would provide approximately eight full time on-street parking spaces on the north side of the street. Therefore, since 94 percent of the abutting residents support shortening the existing "Alternate Side Parking" regulation, the Traffic Department concurs with the request.

  
MT/CVB/sw

21

MOUNTAIN

GARTH STREET

RT 10 / S 263

RT 10 / S 263

RT 20 / S 263

GOLDEN

ORCHARD

GRANBY COURT

DRIVE

GALLOWAY COURT

D/S 263

GLEN EDEN COURT

BRIG

D/S 263

ROAD

HEATHERDALE C/

GARROW DRIVE

DRIVE

GRENOBLE

GERRICK COURT

DUNCAIRN COURT

C/S 263 DUNCAIRN

CRESCENT

D/S 263

GLENVIEW COURT

GLENVIEW

PLACE

COURT

ADON

RD





218119

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 August 12

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

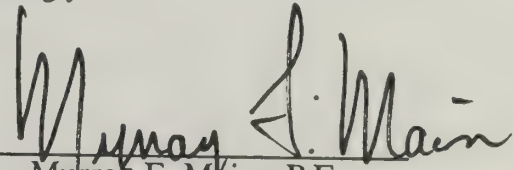
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

No. 23 Greendale Drive - Removal of a Wheelchair Loading Zone. [TEC-190-93]

**RECOMMENDATION:**

- a) That the existing "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 9:00 p.m., seven days a week" regulation on the west side of Greendale Drive commencing at a point 184 feet south of the south curb line of the north leg of Greendale Drive and extending to a point 17 feet southerly therefrom, be removed; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

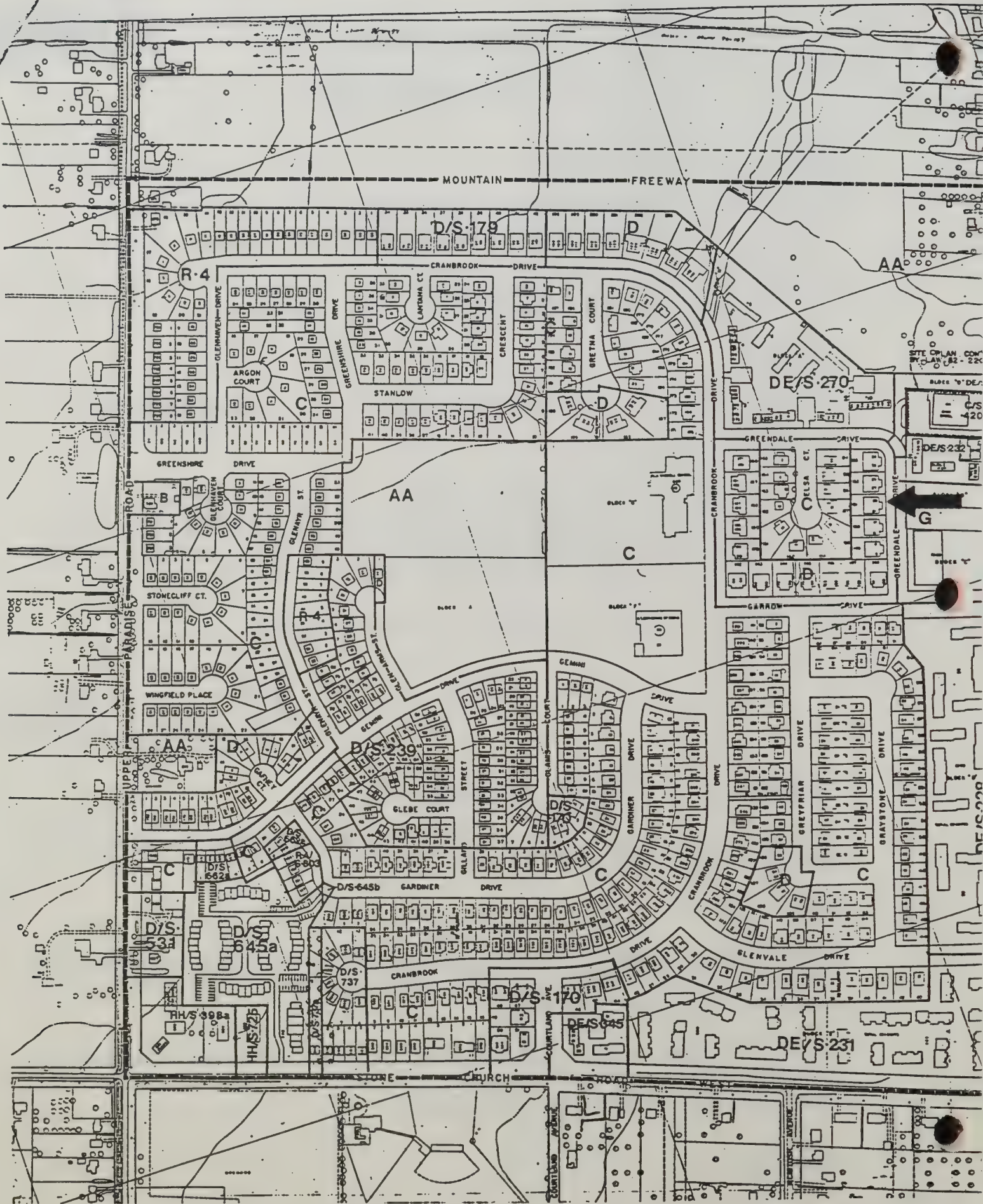
**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of removing the subject signs.

**BACKGROUND:**

In 1991, City Council approved a request by Ms. Susan Moore, 23 Greendale Drive, that a Wheelchair Loading Zone be implemented on the west side of the street in front of her home since her daughter is disabled.

Mrs. Moore recently contacted the Traffic Department to advise that she will be moving in the near future and requested that the regulation be removed. The Traffic Department has reviewed this matter and concurs with the request.





2(B)(X)(H)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 03

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

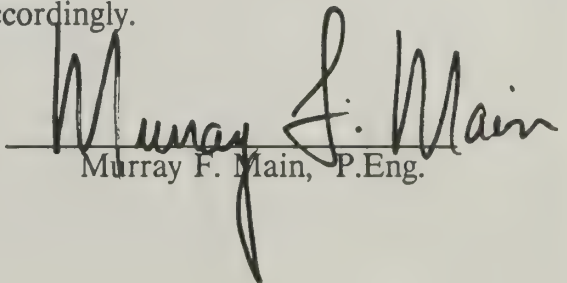
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Dunsmure Road - Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident at No. 68 Graham Avenue North. [TEC-182-93]

**RECOMMENDATION:**

- a) That the existing "Permit Parking" regulation on the north side of Dunsmure Road commencing at a point 51 feet east of Graham Avenue North and extending to a point 20 feet easterly therefrom be removed; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

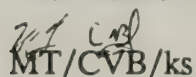
**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of removing the signs.

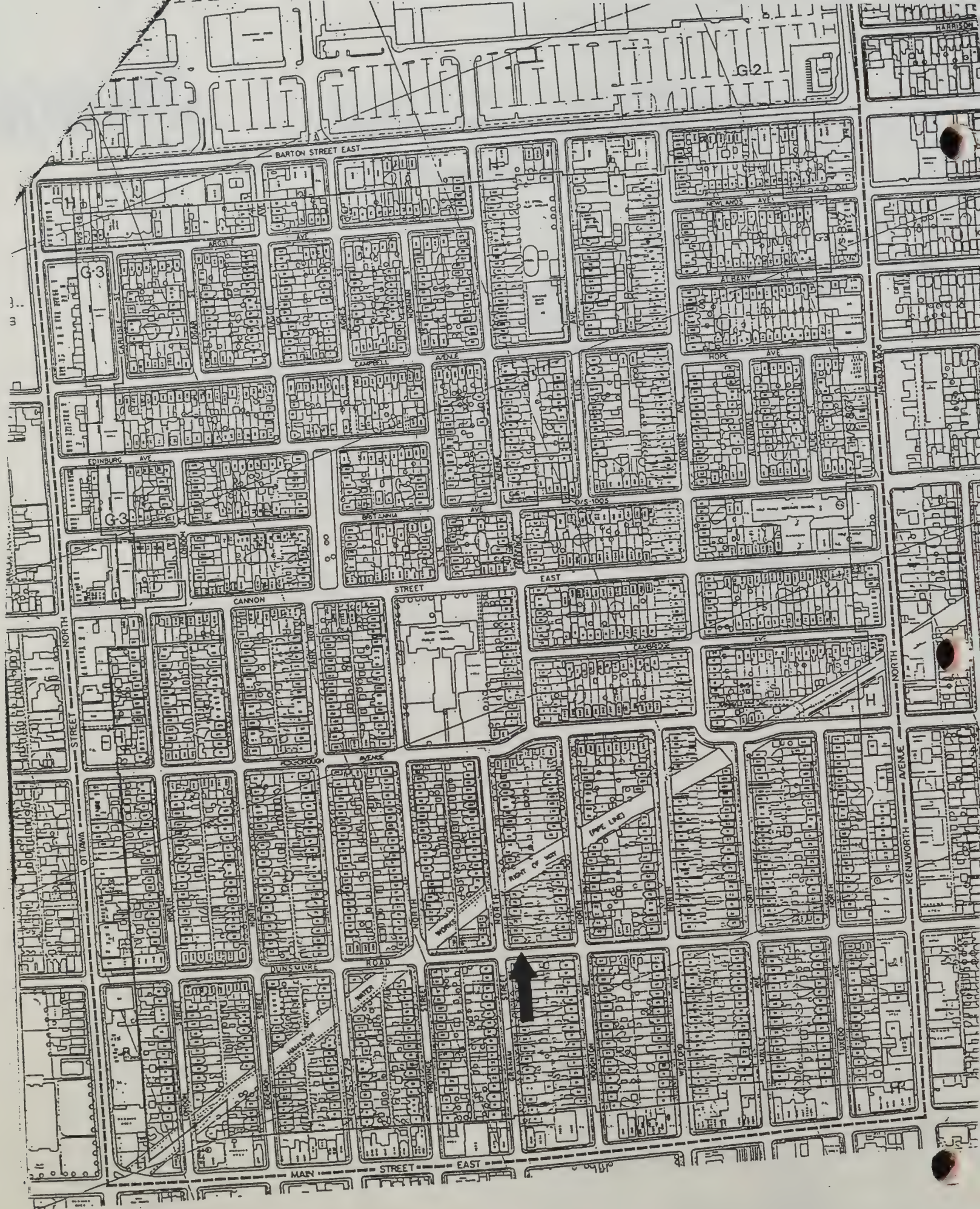
**BACKGROUND:**

In 1990, City Council approved a request from Pasquale Pescatore, No. 68 Graham Avenue North, to implement a reserved "Permit Parking" space on Dunsmure Road directly beside his home since he is disabled. However, Mr. Pescatore has advised that he will be moving on August 31st of this year and will no longer require the parking space and requests that the "Permit Parking" regulation be removed.

The Traffic Department has reviewed this matter and concurs with this request.

  
MT/CVB/ks







2(Brix)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 12

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

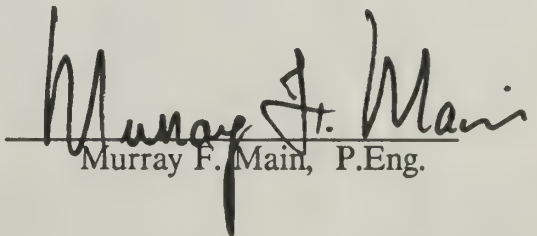
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

No. 190 East 26th Street - Request for a Wheelchair Loading Zone. [TEC-180-93]

**RECOMMENDATION:**

- a) That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 10:00 p.m., seven days a week" regulation be implemented on the west side of East 26th Street commencing at a point 115 feet south of Queensdale Avenue East and extending to a point 25 feet southerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

The Traffic Department has received a request from Mrs. Velma Martin, No. 190 East 26th Street, that a "No Stopping, Wheelchair Loading Only" regulation be designated on the west side of the street directly in front of her home since she is disabled and requires the use of Darts buses.

East 26th Street has a 24 foot pavement width, and presently, there is unrestricted parking on both sides of the street in this area. The requested regulation would result in the loss of only one legal on-street parking space directly in front of the applicant's property. However, since virtually all residents in this area have available off-street parking and since parking would be permitted on both sides of the street for the remainder of the block, the Traffic Department does not anticipate any parking difficulties for area residents and concurs with the request.

MT/<sup>ca3</sup>CVB/ks









2(BXIXI)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 July 16

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** Mr. M. F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

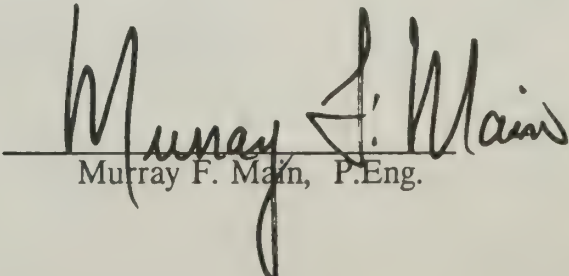
No. 73 Leeming Street - Request for a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-171-93]

**RECOMMENDATION:**

- a) That a "Permit Parking" regulation be implemented on the west side of Leeming Street commencing at a point 84 feet south of Wright Avenue and extending to a point 22 feet southerly therefrom; and
- b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Randy Taylor, No. 73 Leeming Street; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$12.00 annual charge for the parking permit will off-set the cost to some degree.

  
Murray F. Main, P.Eng.



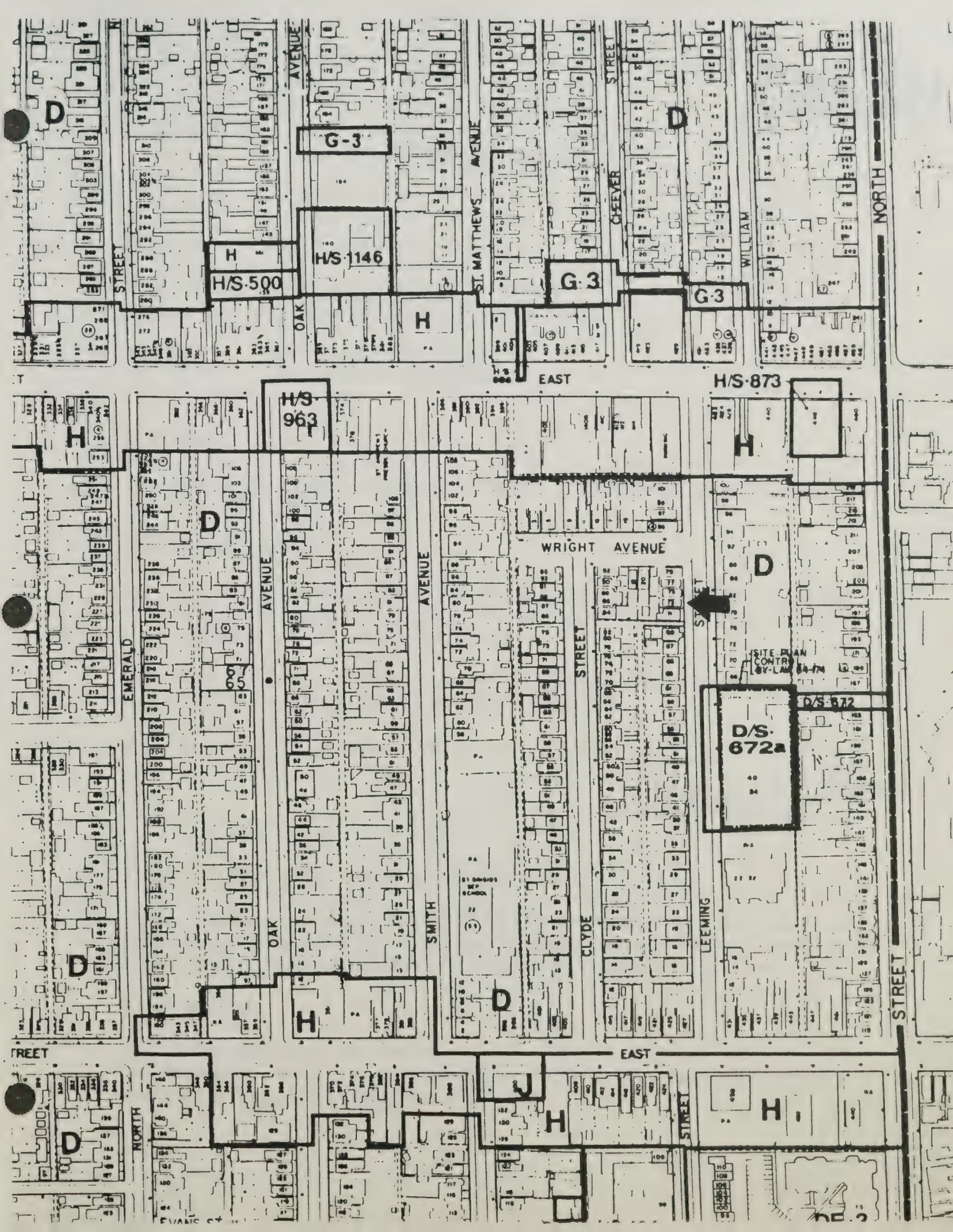
## BACKGROUND:

The Traffic Department received a request from Mr. Randy Taylor, 73 Leeming Street, that a reserved "Permit Parking" space be designated on the west side of the street in front of his home since he is disabled.

Leeming Street has a 26 foot pavement width, and presently, there is a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation in conjunction with an "Alternate Side Parking" regulation on the street in this area. Therefore, normal practice is to designate a reserved "Permit Parking" space on both sides of the street. However, residents on the opposite side of the street do not support designating the requested regulation in front of their property. Mr. Taylor has stated that he would support the designation of the requested regulation only in front of his home, to provide "Permit Parking" for only half the month under the existing "Alternate Side Parking" regulation.

The City Council, on 1987 December 08, approved a policy to allow for the implementation of individual reserved "Permit Parking" spaces in front of disabled residents homes. This policy requires, in part, that the applicant possess a valid disabled permit issued by the Ministry of Transportation. The Traffic Department has confirmed that Mr. Taylor possesses a valid permit. An investigation has revealed that there is no suitable alternative parking area available on the private property. Therefore, the Traffic Department concurs with the request.

  
MT/CVB/ks



EMERALD STREET

OAK AVENUE

SMITH AVENUE

CLYDE STREET

LEEMING STREET

EAST STREET

NORTH STREET

H/S 500

G-3

H/S 1146

H

G-3

G-3

H/S 963

H/S 873

D/S 672a

D/S 872

WRIGHT AVENUE

SITE PLAN CONTR BY LAW 54-77

ST. BRIGID'S W.P. SCHOOL







2(Brixk)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

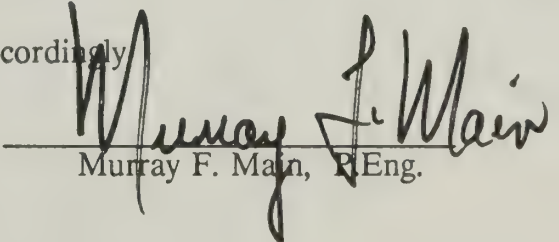
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

No. 293 Broadway Avenue - Request for a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-184-93]

**RECOMMENDATION:**

- a) That a "Permit Parking" regulation be implemented on the east side of Broadway Avenue commencing at a point 336 feet south of Ainslie Avenue and extending to a point 24 feet southerly therefrom; and
- b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Dietmar Pietsch, No. 293 Broadway Avenue; and
- c) That the City Traffic By-law 89-72 be amended accordingly

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$12.00 annual charge for the parking permit will off-set the cost to some degree.

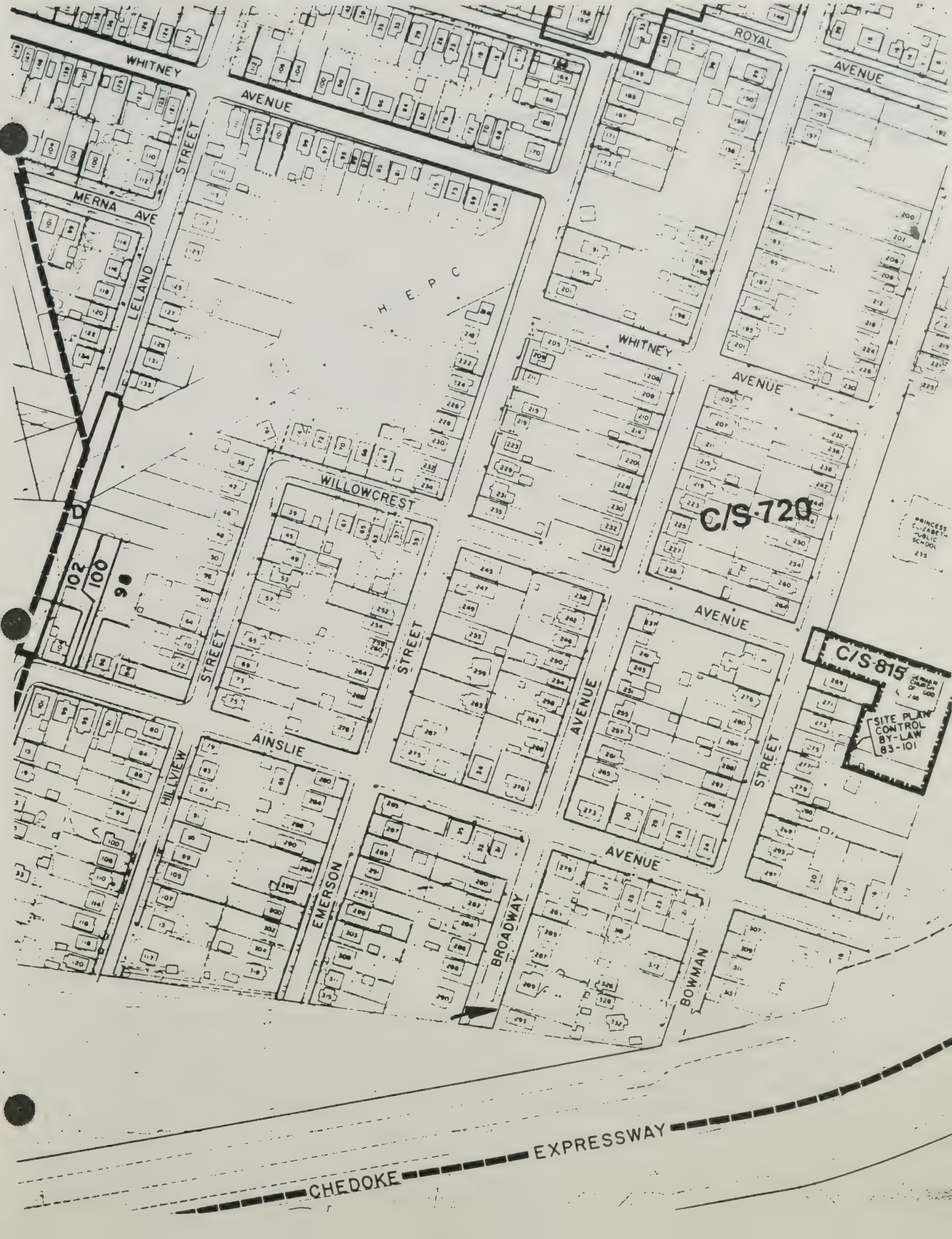
**BACKGROUND:**

The Traffic Department has received a request from Mr. Dietmar Pietsch, No. 293 Broadway Avenue, that a reserved "Permit Parking" space be designated on the east side of Broadway in front of his home since he is disabled.

Broadway has a 30 foot pavement width, and presently, there is unrestricted parking on both sides of the street in this area.

The City Council, on 1987 December 08, approved a policy to allow for the implementation of individual reserved "Permit Parking" spaces in front of disabled residents homes. This policy requires, in part, that the applicant possess a valid disabled permit issued by the Ministry of Transportation. The Traffic Department has confirmed that Mr. Pietsch possesses a valid permit. An investigation has revealed that there is off-street parking on the property. However, due to the steep grade, the driveway is not a suitable alternative parking area. Therefore, the Traffic Department concurs with the request.

  
MT/CVB/ks



WHITNEY

AVENUE

ROYAL

AVENUE

MERNA AVE

LELAND STREET

WHITNEY

AVENUE

WILLOWCREST

AVENUE

AINSLIE

AVENUE

EMERSON

AVENUE

BROADWAY

BOWMAN

CHEDOKE

EXPRESSWAY

C/S-720

C/S-815

SITE PLAN CONTROL BY-LAW 83-101

PRINCESS ELIZABETH PUBLIC SCHOOL 213





2(8X)(1)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 10

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

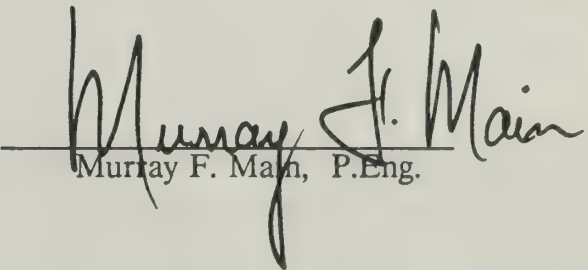
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Apartment building at No. 148 Robinson Street - Application for a Time Limit Exemption Permit. [TEC-181-93]

**RECOMMENDATION:**

That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first four applicants residing in the apartment building at No. 148 Robinson Street.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

There is a potential for \$96.00 in revenue each year from the sale of parking permits to residents of this building.

**BACKGROUND:**

The Traffic Department received a request from a resident of the apartment building at No. 148 Robinson Street, that Time Limit Exemption Permits be issued to residents of this building. The apartment building is located on the north side of Robinson between Caroline and Hess, and the applicant has indicated that she wishes to park her vehicle beyond the parking time limits on streets in the vicinity of the apartment building.

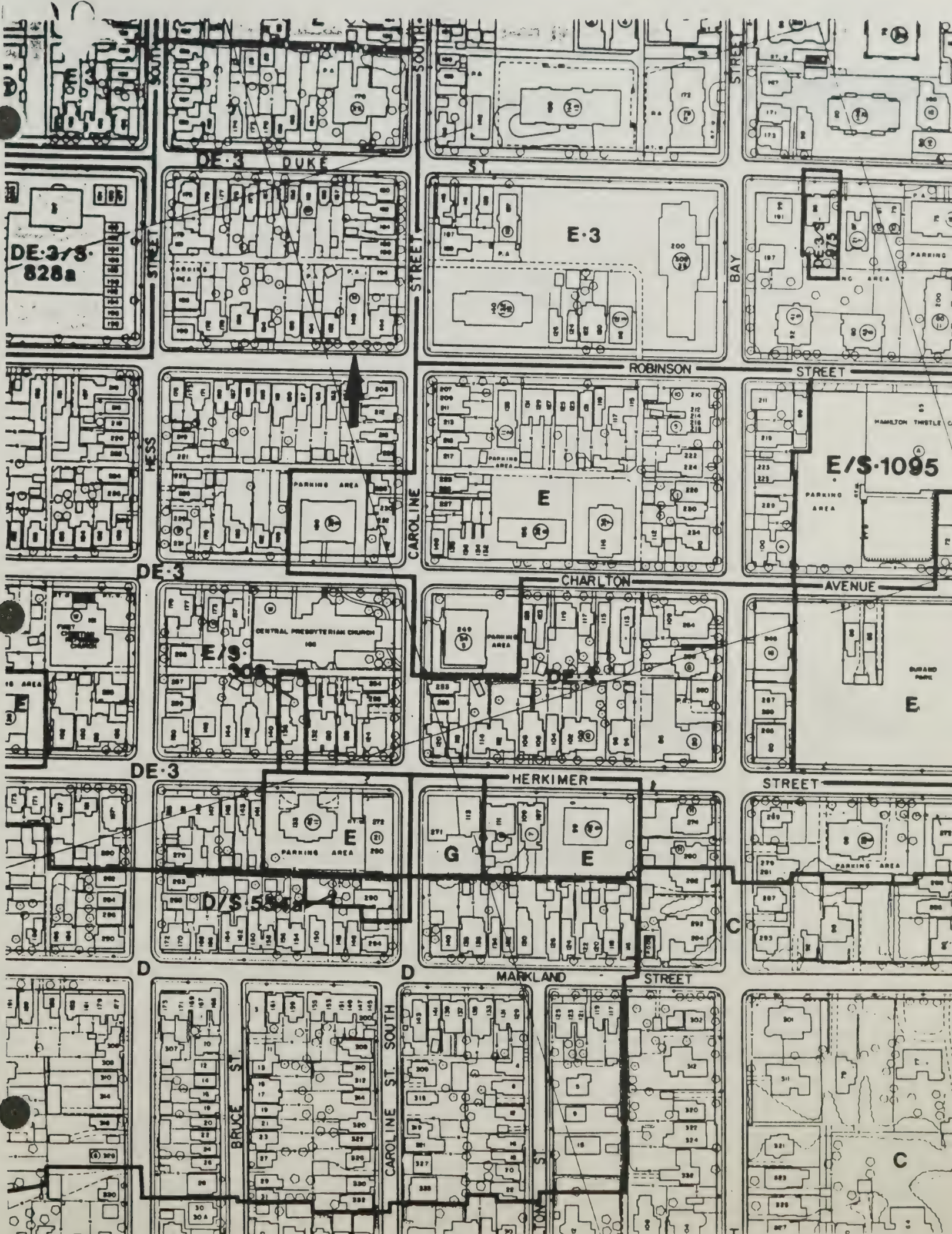
Investigations reveal that there are eleven dwelling units in the subject apartment building, and that there are only five off-street parking spaces available on the property. Past practice of the Committee has established a policy that, generally, Time Limit Exemption Permits will be issued to residents of one, two or three family dwellings and to residents of apartment buildings only under exceptional circumstances.

Periodic observations reveal that streets in this area are generally heavily parked during the day. However, since there has not been a great demand for Time Limit Exemption Permits in this area, it appears that the parking is generally non-resident short-term parking. Thus, the issuance of permits to residents of this building should not create any parking difficulties for other area residents.

The Zoning By-law requires that a minimum of nine off-street parking spaces be provided for a new development of this size in this area. Thus, there is a shortage of four off-street parking spaces in accordance with the current Zoning By-law requirements. Therefore, it would be appropriate to issue a maximum of four parking permits to the residents of the building on a first come first served basis.

  
MT/CVB/ks









CITY OF HAMILTON

- RECOMMENDATION -

*2011/12*

**DATE:** 1993 August 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

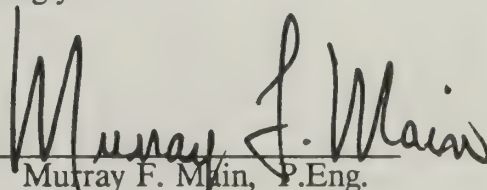
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Pinard Street and Selway Court - Intersection Control. [TEC-186-93]

**RECOMMENDATION:**

- a) That eastbound traffic on Pinard Street be required to stop for northbound and southbound traffic on Selway Court; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

The Traffic Department has received a request from Ms. Catharine Macisaac, 14 Selway Court, that stop control be implemented at the intersection of Pinard and Selway.

The subject intersection is a "T" type intersection, and presently, there are no intersection control signs. Therefore, the Traffic Department concurs with the request and recommends that eastbound traffic on Pinard be required to stop for northbound and southbound traffic on Selway.

*CB*  
CVB/ca





SOUTH ROAD NASH

AA

D/S-120

D/S-376

D/S-376

D/S-327

D/S-410

1:50,000

CITY OF HAMILTON

- RECOMMENDATION -

2(b)(ii)(b)

**DATE:** 1993 August 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

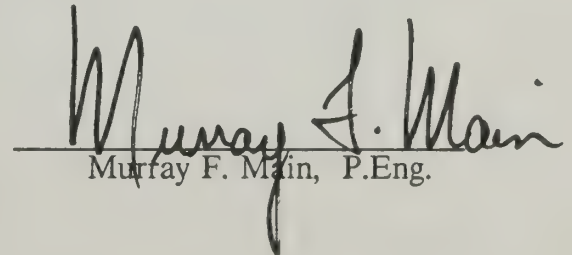
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Parklands Drive and Connor Court - Intersection Control. [TEC-185-93]

**RECOMMENDATION:**

- a) That eastbound traffic on Connor Court be required to stop for northbound and southbound traffic on Parklands Drive; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

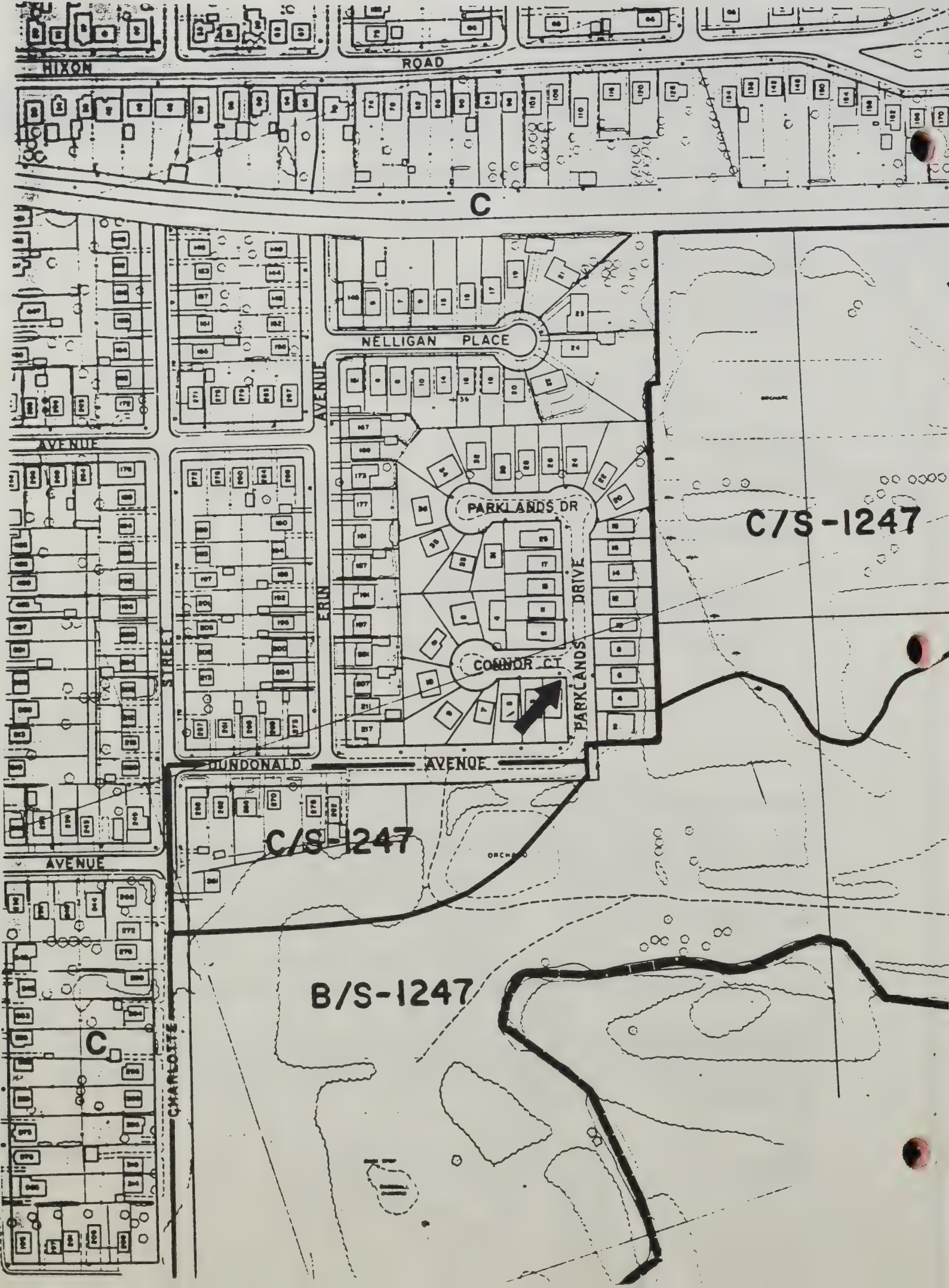
**BACKGROUND:**

The Traffic Department has received a request from Mr. Bruce T. Healy, 11 Parklands Drive, that stop control be implemented at the intersection of Parklands and Connor.

The subject intersection is a "T" type intersection, and presently, there are no intersection control signs. Therefore, the Traffic Department concurs with the request and recommends that eastbound traffic on Connor be required to stop for northbound and southbound traffic on Parklands.

  
CVB/ca





C

C/S-1247

C/S-1247

B/S-1247

C



2(BXIX)

CITY OF HAMILTON  
- RECOMMENDATION -

**DATE:** 1993 August 12

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

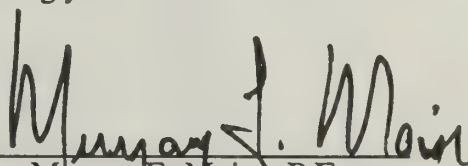
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Acadia Drive and Fano Drive - Intersection Control. [TEC-189-93]

**RECOMMENDATION:**

- a) That westbound traffic on Fano Drive (north leg) be required to stop for northbound and southbound traffic on Acadia Drive; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.


**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

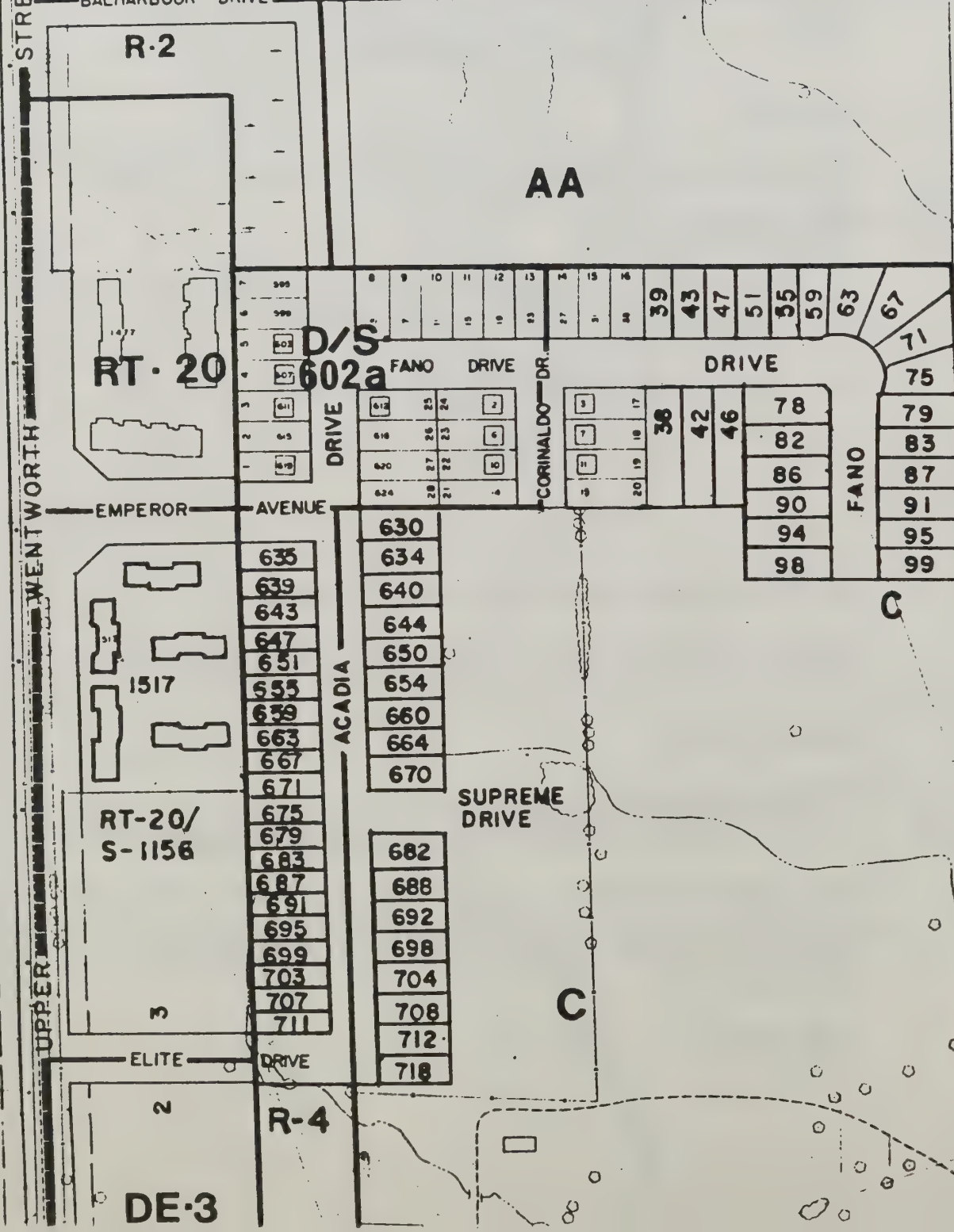
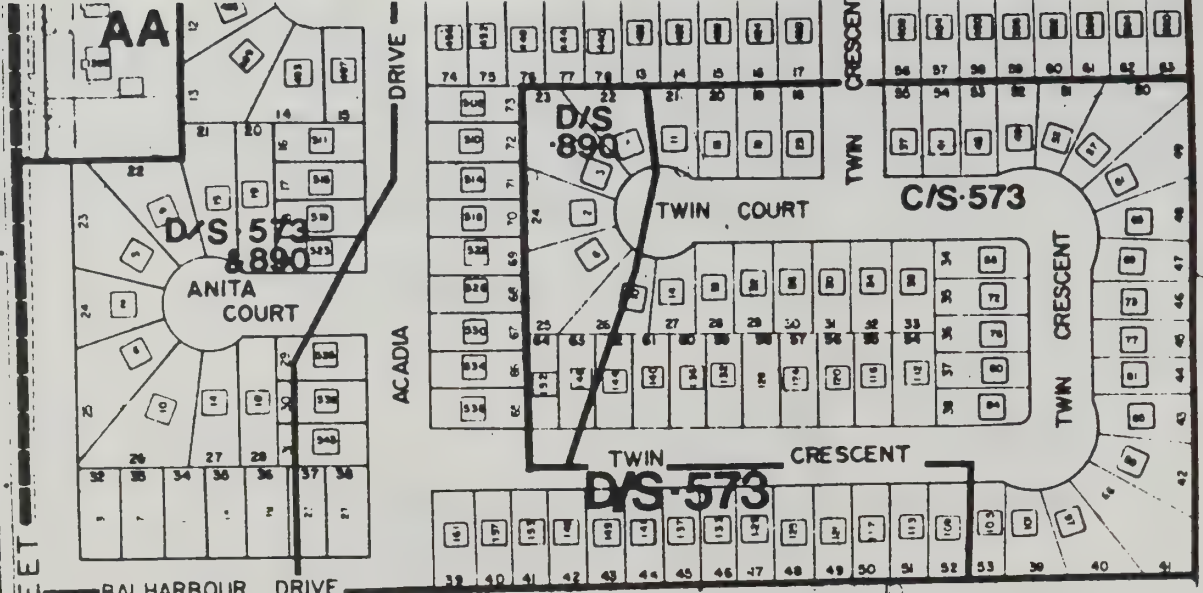
Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

The Traffic Department has received a request from Mr. Brad Carey, 599 Acadia Drive, that stop control be implemented at the intersection of Acadia and Fano.

The subject intersection is a "T" type intersection and presently, there are no intersection control signs. Therefore, the Traffic Department concurs with the request and recommends that westbound traffic on Fano be required to stop for northbound and southbound traffic on Acadia.

  
CVB/MH/ca



CITY OF HAMILTON

26Xii(d)

- RECOMMENDATION -

**DATE:** 1993 August 12

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

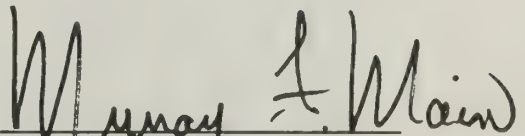
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Limeridge Road West and Bonaventure Drive - Intersection Control. [TEC-188-93]

**RECOMMENDATION:**

- a) That four-way stop control be implemented at the intersection of Limeridge Road West and Bonaventure Drive; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimate to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

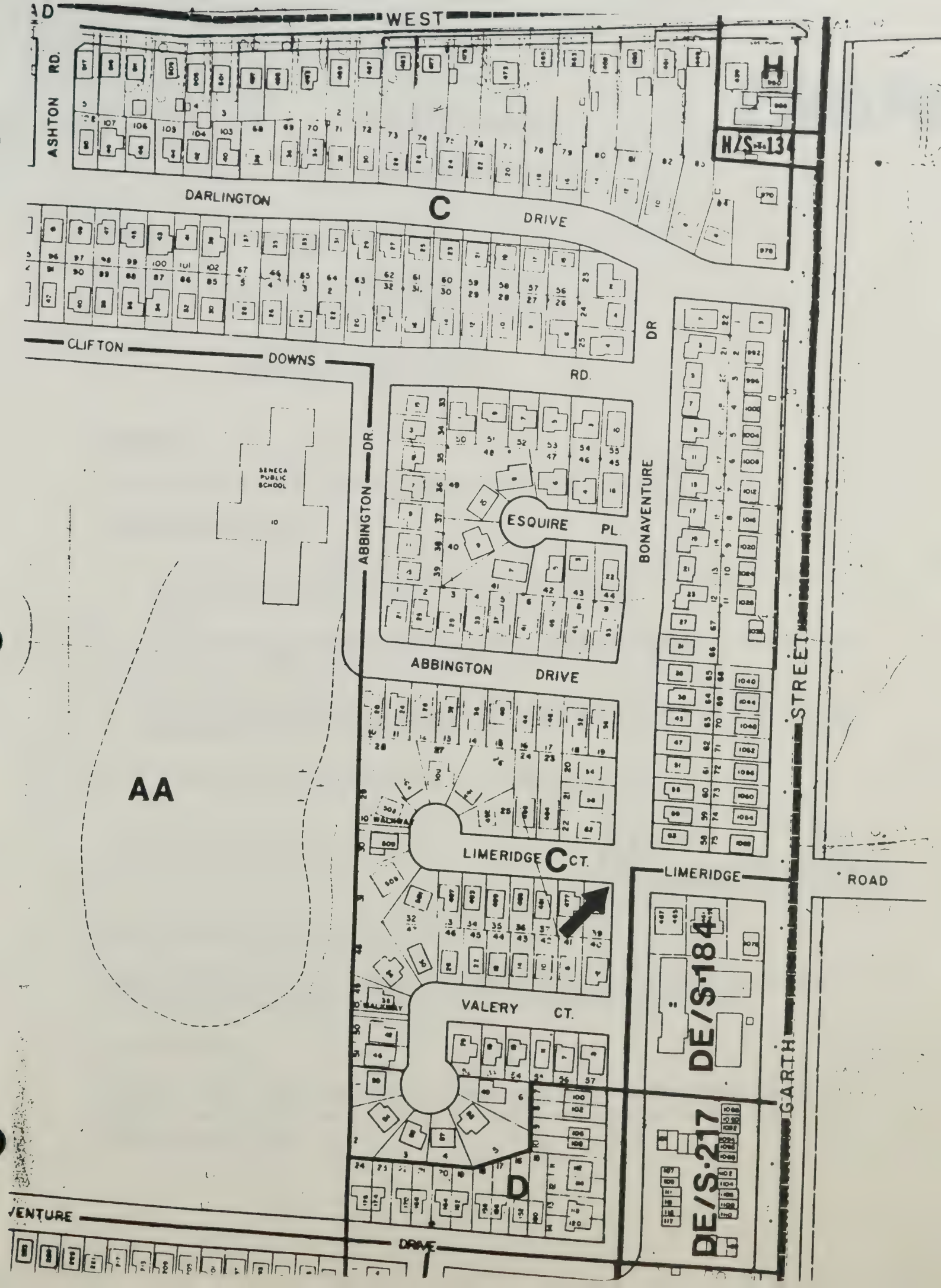
The Traffic Department has received a request from Mr. Rick Woodworth, 51 Caroga Court, that all-way stop control be implemented at the intersection of Limeridge and Bonaventure.

The subject intersection is a four-leg intersection, and presently, northbound and southbound traffic on Bonaventure is required to stop for eastbound and westbound traffic on Limeridge. The Traffic Department has concluded that the intersection meets at least one



of the criteria respecting the use of all-way stop control in that it is an intersection of two collector roadways for the neighbourhood. Therefore, the Traffic Department concurs with the request.

CVB/MH/ca



ASHTON RD.

WEST

H/S-13

DARLINGTON

C

DRIVE

CLIFTON

DOWN

RD.

SENECA  
PUBLIC  
SCHOOL

ABBINGTON DR

ESQUIRE

PL

BONAVENTURE

ABBINGTON

DRIVE

AA

LIMERIDGE C.T.

LIMERIDGE

VALERY CT.

DE/S-184

DE/S-217

STREET

ROAD

GARTH

VENTURE

DRIVE





CITY OF HAMILTON

26xixel

- RECOMMENDATION -

**DATE:** 1993 August 13

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

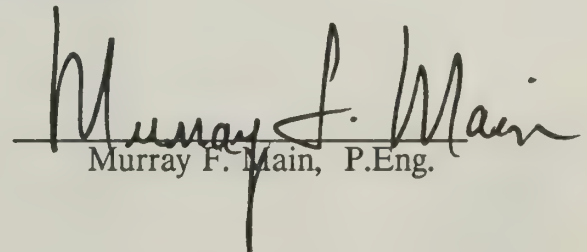
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection Control in the Gourley Neighbourhood. [TEC-192-93]

**RECOMMENDATION:**

- a) That northbound traffic on Annabelle Street (west leg) be required to stop for eastbound and westbound traffic on Chester Avenue; and
- b) That eastbound traffic on Brigadoon Drive be required to stop for northbound and southbound traffic on Appleblossom Drive; and
- c) That northbound traffic on Appleseed Place be required to stop for eastbound and westbound traffic on Brigadoon Drive; and
- d) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

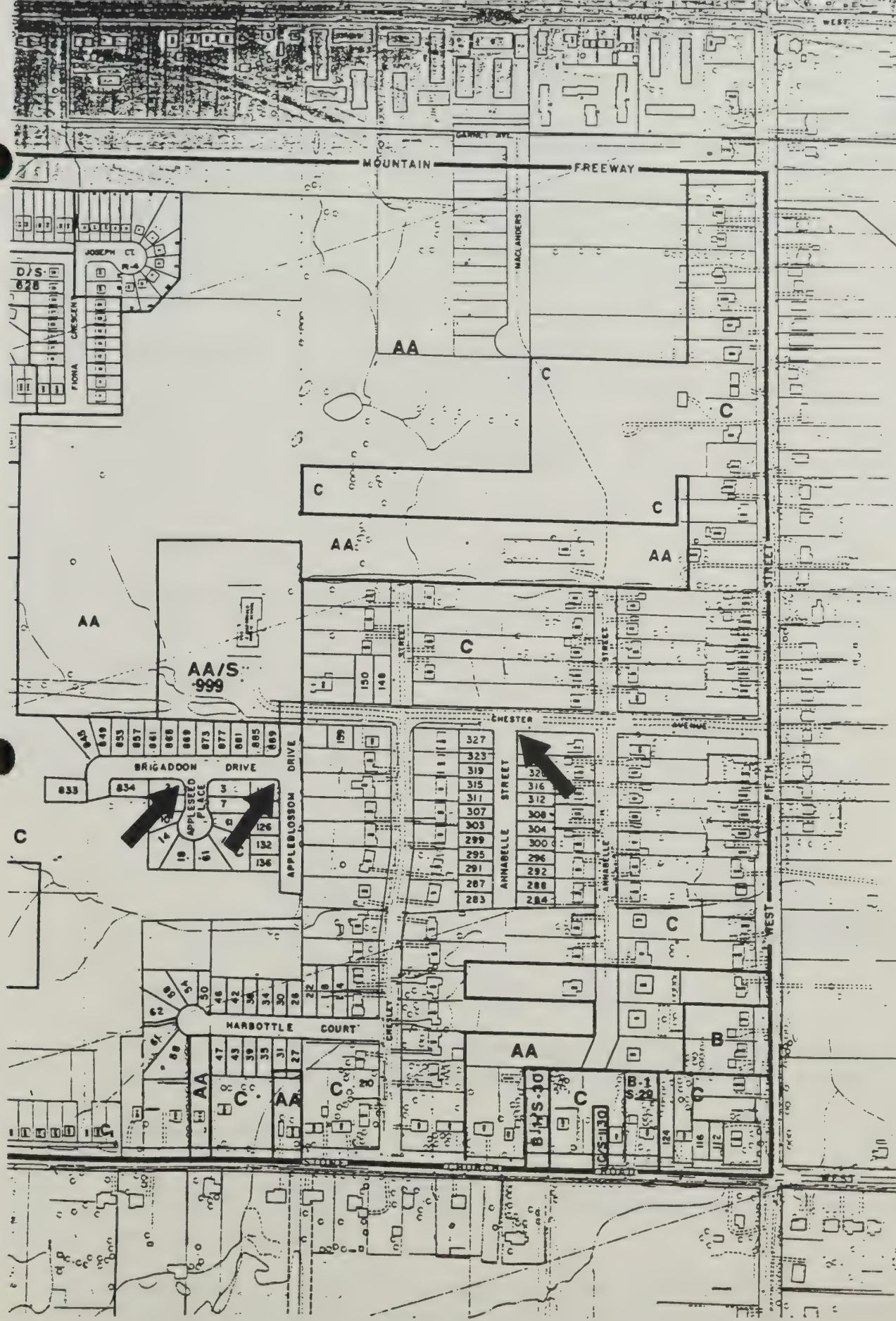
Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

Alderman Frank D'Amico has advised of concerns expressed by Mrs. Betty Haylock, 129 Chesley Street, regarding stop control in the recently developed southeast portion of the Gourley Neighbourhood.

There are three "T" type intersections in this area which presently, have no intersection control signs. The Traffic Department supports the principle of stopping one direction of traffic at this type of intersection in lieu of the otherwise applicable "right-hand-rule" which may not be clearly understood by all motorists. Therefore, the Traffic Department recommends that traffic on the stems of these three "T" type intersections be required to stop for traffic on the through roadway.

CVB/MH/ca



49	116	137
50	53	86
44	121	101

This is not a Legal Document  
For Zoning Verification Please  
Contact City Building Department.

--- Neighbourhood Boundary  
— Zoning Boundary

Prepared for The City of Hamilton  
by the Planning and Development Department  
of The Regional Municipality of Hamilton - Wentworth





2(BXiXf)

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 August 18

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

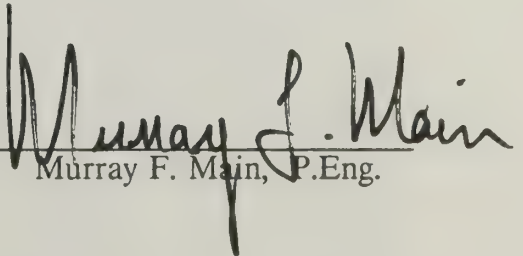
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Brucedale Avenue East and East 25th Street - Intersection Control. [TEC-195-93]

**RECOMMENDATION:**

That no action be taken on the request for four-way stop control at the intersection of Brucedale Avenue East and East 25th Street.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The installation of unwarranted all-way stop control at locations such as this results in increased motor vehicle operating costs in the order of \$10,000.00 annually.

**BACKGROUND:**

Alderman Henry Merling has forwarded a petition signed by approximately 45 area residents, requesting that four-way stop control be implemented at the intersection of Brucedale and East 25th.

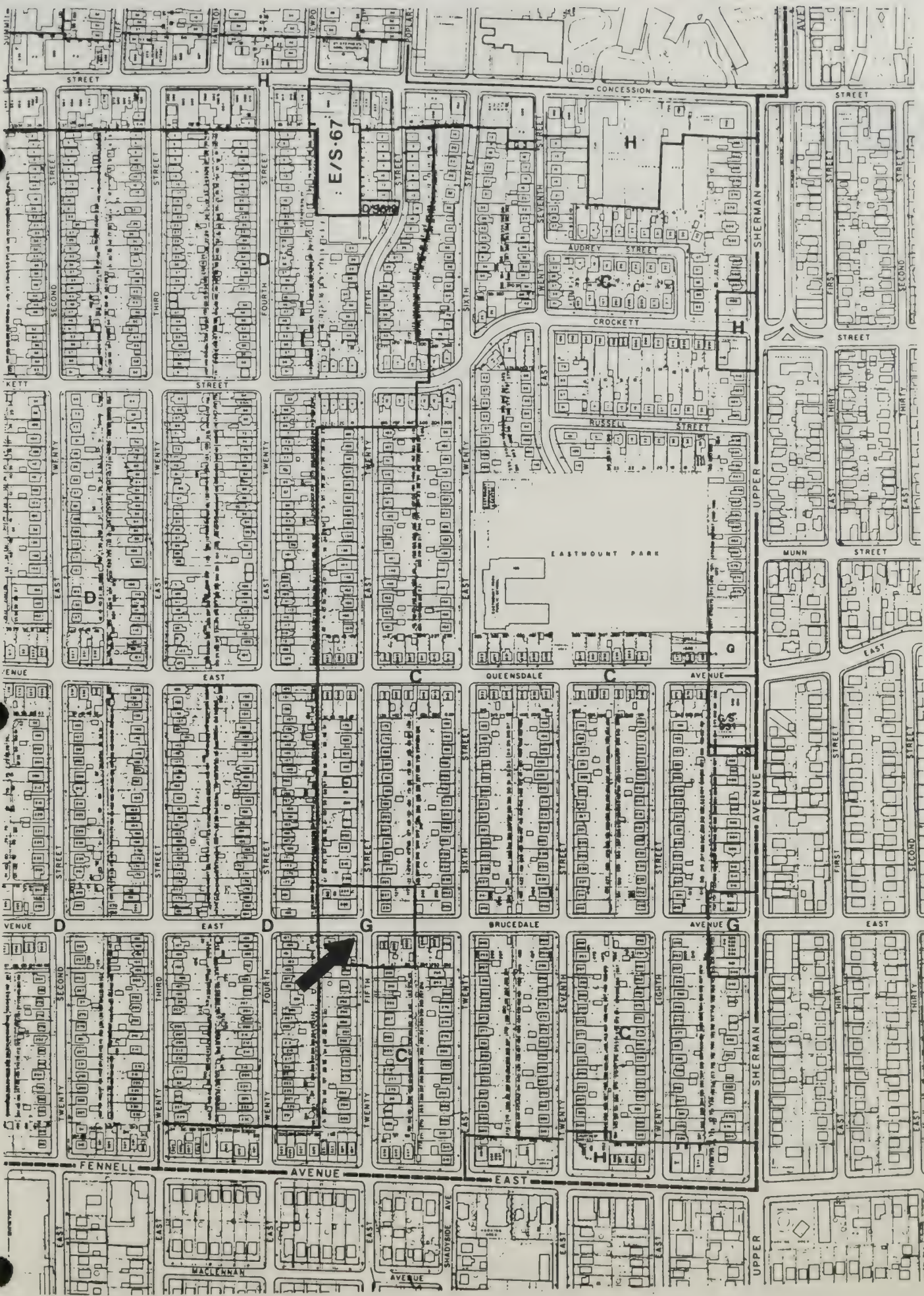
The subject intersection is a four-leg intersection, and presently, eastbound and westbound traffic on Brucedale is required to stop for northbound and southbound traffic on East 25th. Traffic Department records indicate that this intersection has experienced an average of only

0.71 collisions per year over the past seven years. This is a good collision record for this type of intersection.

The Traffic Department has assessed this request, and has its usual concerns respecting unwarranted four-way stop control, including the fact that there is no collision problem at this intersection, unnecessary stop signs have extremely harmful environmental affects, stop signs have no effect on the speed and volume of traffic, and unwarranted stop signs create disrespect by the motorists to the extent that the observation of stop signs is deteriorating every year. Moreover, northbound and southbound traffic on East 25th Street presently stops at five of six intersections between Fennell Avenue East and the north end and an additional northbound and southbound stop at this location would be over restrictive and unnecessary. Therefore, for the above-mentioned reasons the Traffic Department does not support the request for all-direction stop control at this intersection.

  
CVB/MH/ca









**CITY OF HAMILTON**  
**- RECOMMENDATION -**

*26XiiiYa*

**DATE:** 1993 July 16

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** Mr. M. F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Upper Gage - Bus Stop Relocation and New Routing. [TEC-169-93]

**RECOMMENDATION:**

a) That in accordance with the request by the Hamilton Street Railway Company:

i) the following bus routing be approved:

Route 23 Upper Gage

Northbound - Eva Street from Rymal Road East to Eaglewood Drive.

Westbound - Eaglewood Drive from Eva Street to Eleanor Avenue.

ii) the following bus stop be relocated:

Route 23 Upper Gage

Delete - Northbound - Eleanor Avenue, east side, 195 feet north of the  
centre line of Rymal Road (M/B),

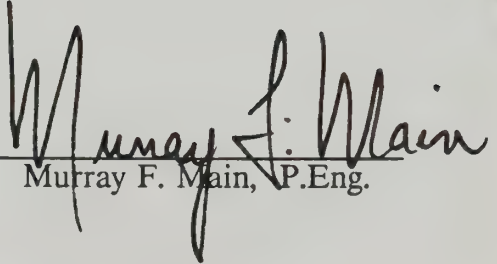
Add - Westbound - Eaglewood Drive, north side, 39 feet east of the  
east curb line of Eleanor Avenue (N/S); and

b) That the City Traffic By-law 89-72 be amended accordingly.



**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

  
Murray F. Main, P.Eng.

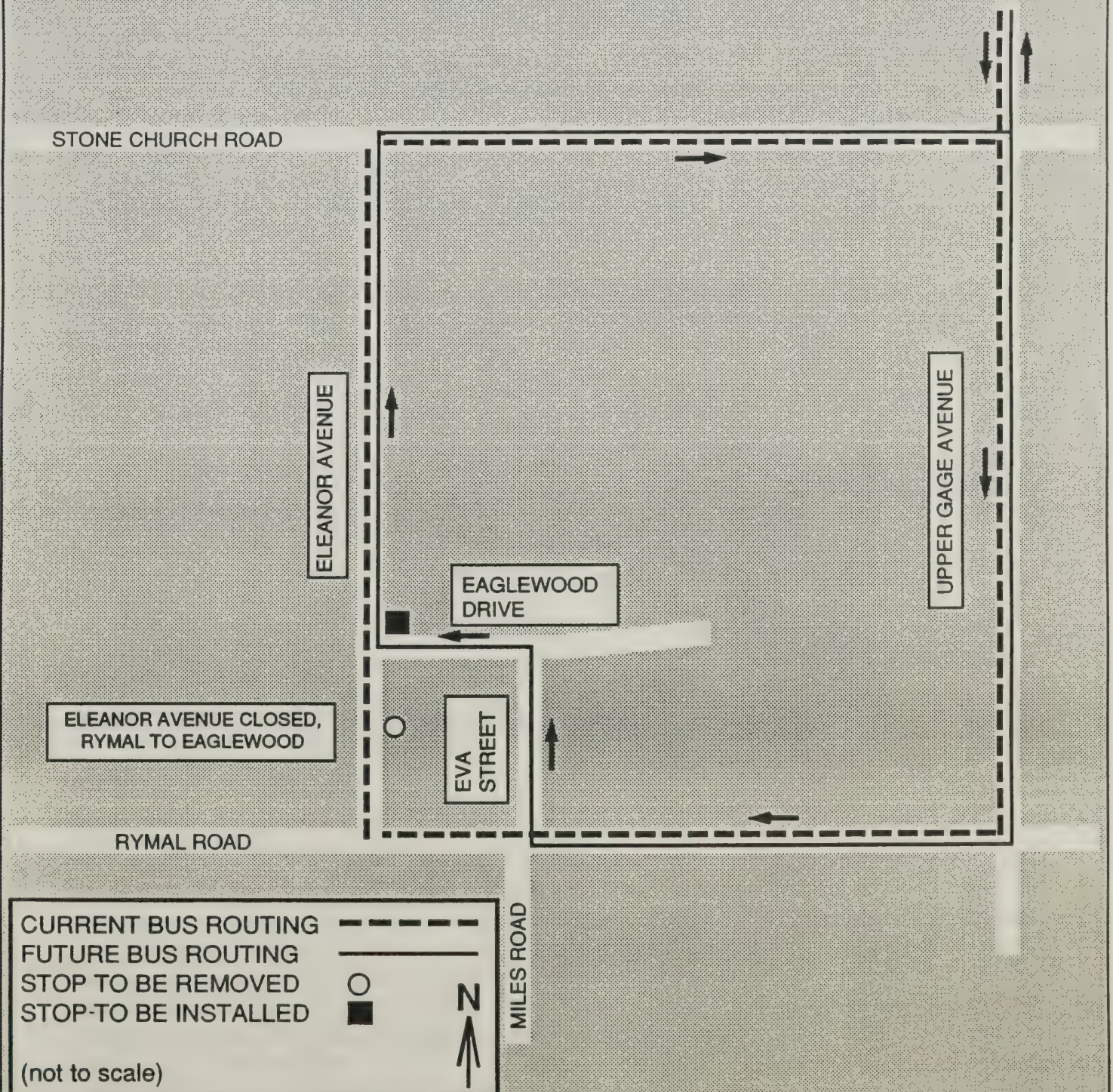
**BACKGROUND:**

The Traffic Department received a request from the Hamilton Street Railway Company for permission to relocate a bus stop from Eleanor Avenue to Eaglewood Drive and to establish new bus routing on Eva Street and Eaglewood Drive. The proposed bus stop location and new bus routing are required since Eleanor is now closed between Eaglewood and Rymal. The proposed bus routing and bus stop location are satisfactory from a traffic point of view. The implementation of the requested bus stop would restore five legal on-street parking spaces on Eleanor but will result in the loss of four legal on-street parking spaces on Eaglewood. The net result would be one additional legal on-street parking space in this area. Therefore, the Traffic Department concurs with this request.

  
MT/CVB/ks



UPPER GAGE ROUTE #23  
PROPOSED ROUTING THROUGH ELEANOR NEIGHBOURHOOD  
EFFECTIVE: JUNE 30, 1993







ZB(Xiix)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 July 30

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Limeridge Route - City of Hamilton - Bus Stop Relocation. [TEC-178-93]

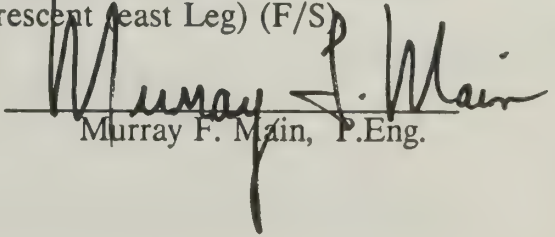
**RECOMMENDATION:**

That in accordance with the request by the Hamilton Street Railway Company the following bus stop relocation be approved:

Route 45 Limeridge

Delete - Eastbound - Limeridge Road East, south side, 39 feet west of the west curb line of Leggett Crescent (east leg) (N/S),

Add - Eastbound - Limeridge Road East, south side, 97 feet east of the east curb line of Leggett Crescent (east Leg) (F/S)

  
Murray F. Main, P.Eng.

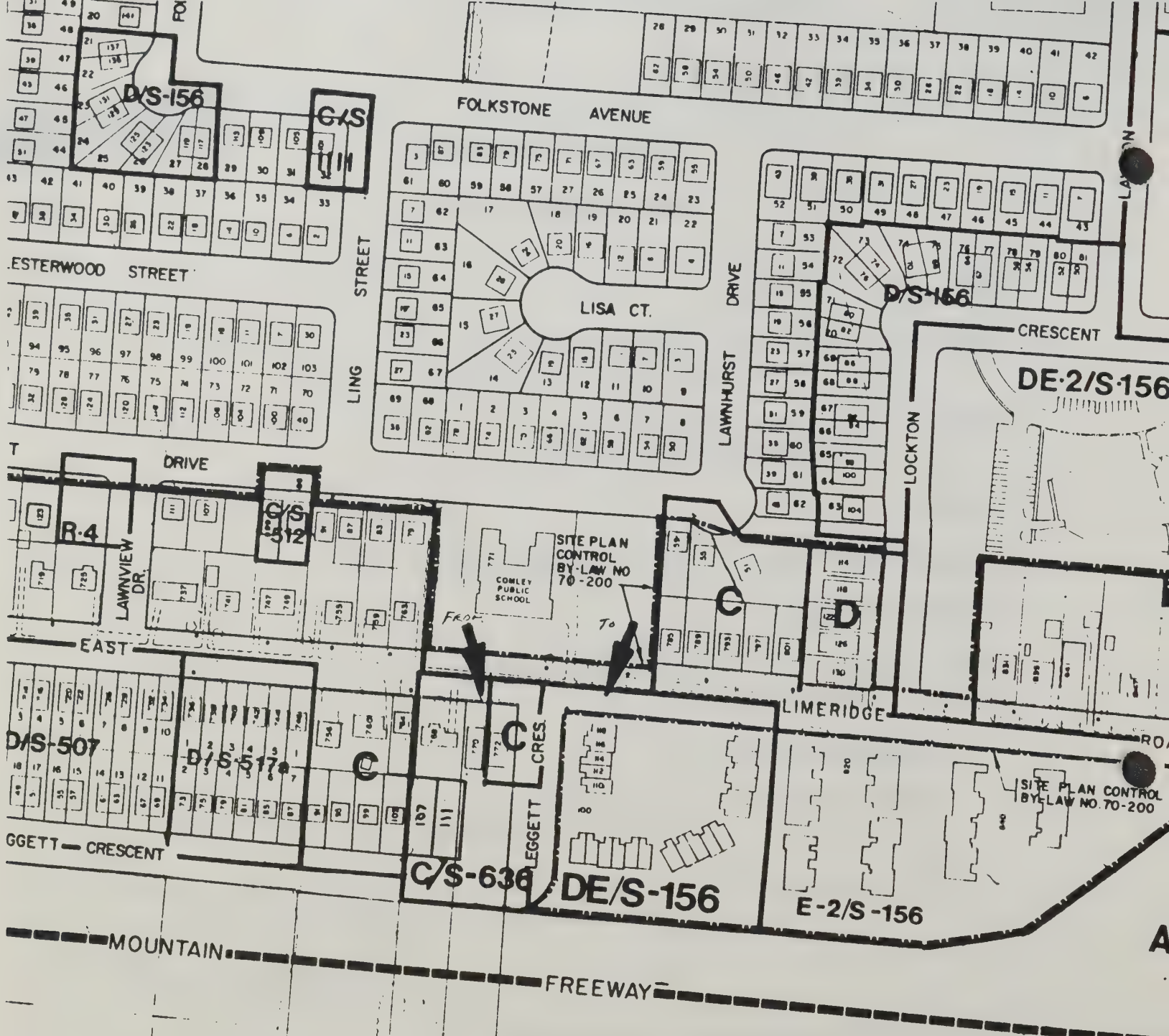
**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

A request has been received from the Hamilton Street Railway Company for permission to relocate a bus stop on the south side of Limeridge Road East from a point west of the east leg of Leggett Crescent to a point east of the east leg of Leggett Crescent due to concerns from a resident in this vicinity. The proposed bus stop location is satisfactory from a traffic point of view. There would be no loss of any on-street parking since the proposed bus stop would be in an area currently signed "No Parking". Therefore, the Traffic Department concurs with this request.

MT/MH/ks



2(c)(i)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 12


**REPORT TO:** Mr. Kevin Christenson  
Secretary, Transport and Environment Committee

**FROM:** Mr. D. Lobo  
Director of Public Works

**SUBJECT:** Proposed Construction of an Independent Concrete Sidewalk on the East Side of Upper Ottawa Street from Stone Church Road to Approximately 275m Northerly (PW 93.1038)

**RECOMMENDATION:**

- a) That the construction of an independent concrete sidewalk on the east side of Upper Ottawa Street from Stone Church Road to approximately 275m northerly proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$35,500. with a City's Share of \$13,072. and Owner's Share of \$22,428. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
- d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

  
for D. Lobo,  
Director of Public Works



**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

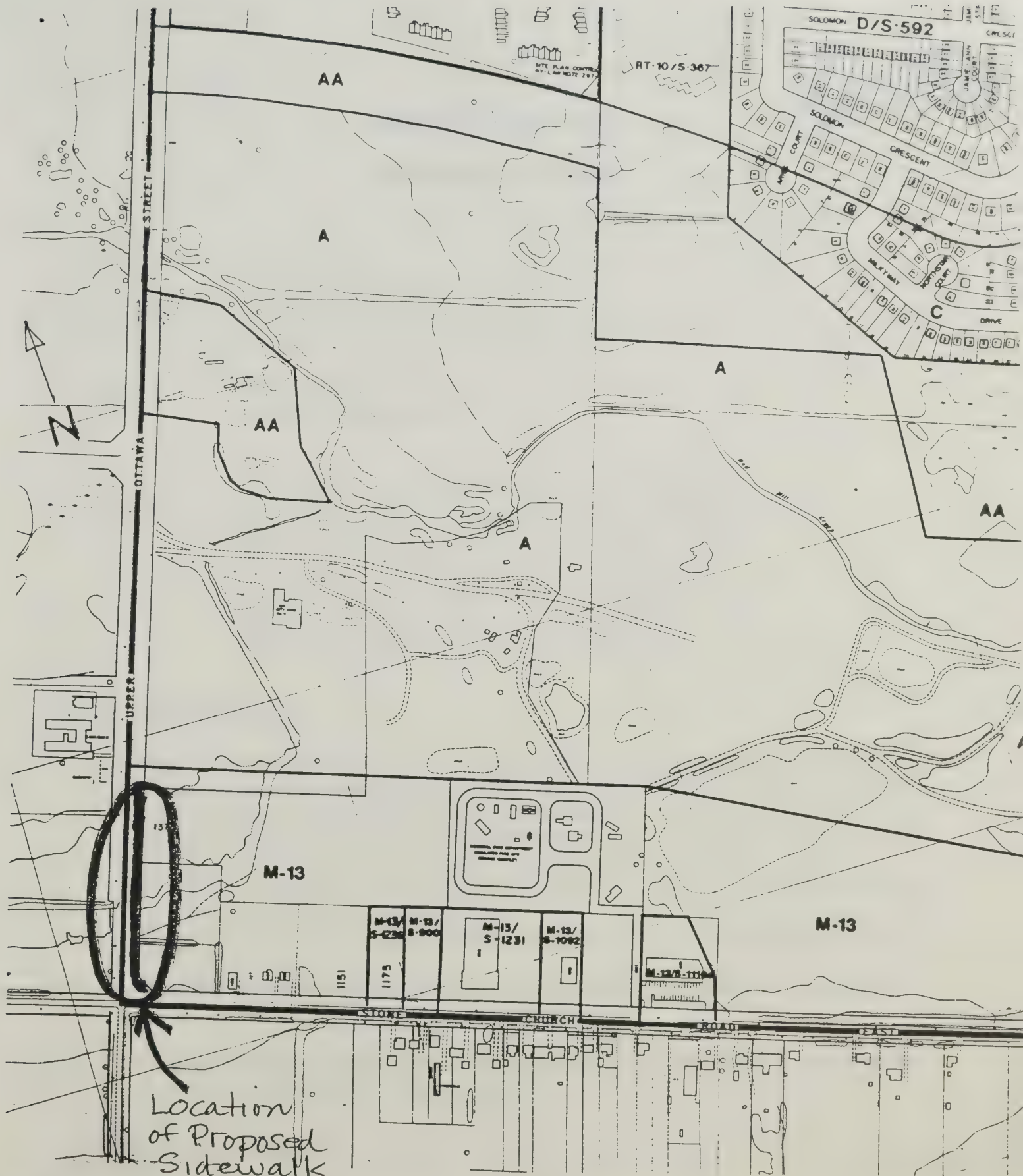
The proposed works are to be rated in accordance with the normal practice. Provision has been made for these works in the 1993 - 2002 Capital Budget. The estimated cost per metre for an independent concrete sidewalk is \$89. If approved, the project will reduce the balances available in the City's Share to \$489,704. and the Owner's Share to \$480,926.

**BACKGROUND:**

We have received a request from the principal of a nearby school for the construction of the above-noted sidewalk. This section is the only area left between Mountain Brow Boulevard and Rymal Road without a sidewalk. Therefore it would be prudent to proceed with the work as a local improvement. The location of the proposed work is shown on the attached plan.

 RPM/bg  
Attch.

cc: J. J. Schatz, City Clerk  
P. Noe Johnson, City Solicitor  
ATTN: S. Riley  
A. Ross, City Treasurer  
ATTN: N. Adhya  
G. W. Lawson, Commissioner of Finance  
V. J. Abraham, M.C.I.P., Director of Local Planning  
S. Reeder, Secretary of Finance and Administration Committee  
D. Y. Onishi, Director of Design and Construction, Roads Department







2(cXii)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 12


**REPORT TO:** Mr. Kevin Christenson  
Secretary, Transport and Environment Committee

**FROM:** Mr. D. Lobo  
Director of Public Works

**SUBJECT:** Construction of a Concrete Curb on the North Side of Rennie Street from Waterloo Street to Approximately 33.8m Easterly (East Limit of 777 Rennie) and the Construction of a Concrete Curb and Sidewalk on the South Side of Rennie Street from Approximately 12.2m East of Waterloo Street to Approximately 12.2m Easterly (Frontage of 776 Rennie) (PW93.1038)

**RECOMMENDATION:**

- a) That the construction of a concrete curb on the north side of Rennie Street from Waterloo Street to approximately 33.8m easterly (east limit of 777 Rennie) and the construction of a concrete curb and sidewalk on the south side of Rennie Street from approximately 12.2m east of Waterloo Street to approximately 12.2m easterly (frontage of 776 Rennie) proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$8,700. with a City's Share of \$5,446. and an Owner's Share of \$3,254. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- c) That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.

  
for D. Lobo,  
Director of Public Works

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The proposed works are to be rated in accordance with the normal practice, Provision has been made for these works in the 1993 - 2002 Capital Budget. The estimated cost per metre for a concrete curb is \$53. and a concrete walk and curb is \$121. If approved, this project will reduce the balances available in the City's Share to \$484,258. and the Owner's Share to \$477,042.

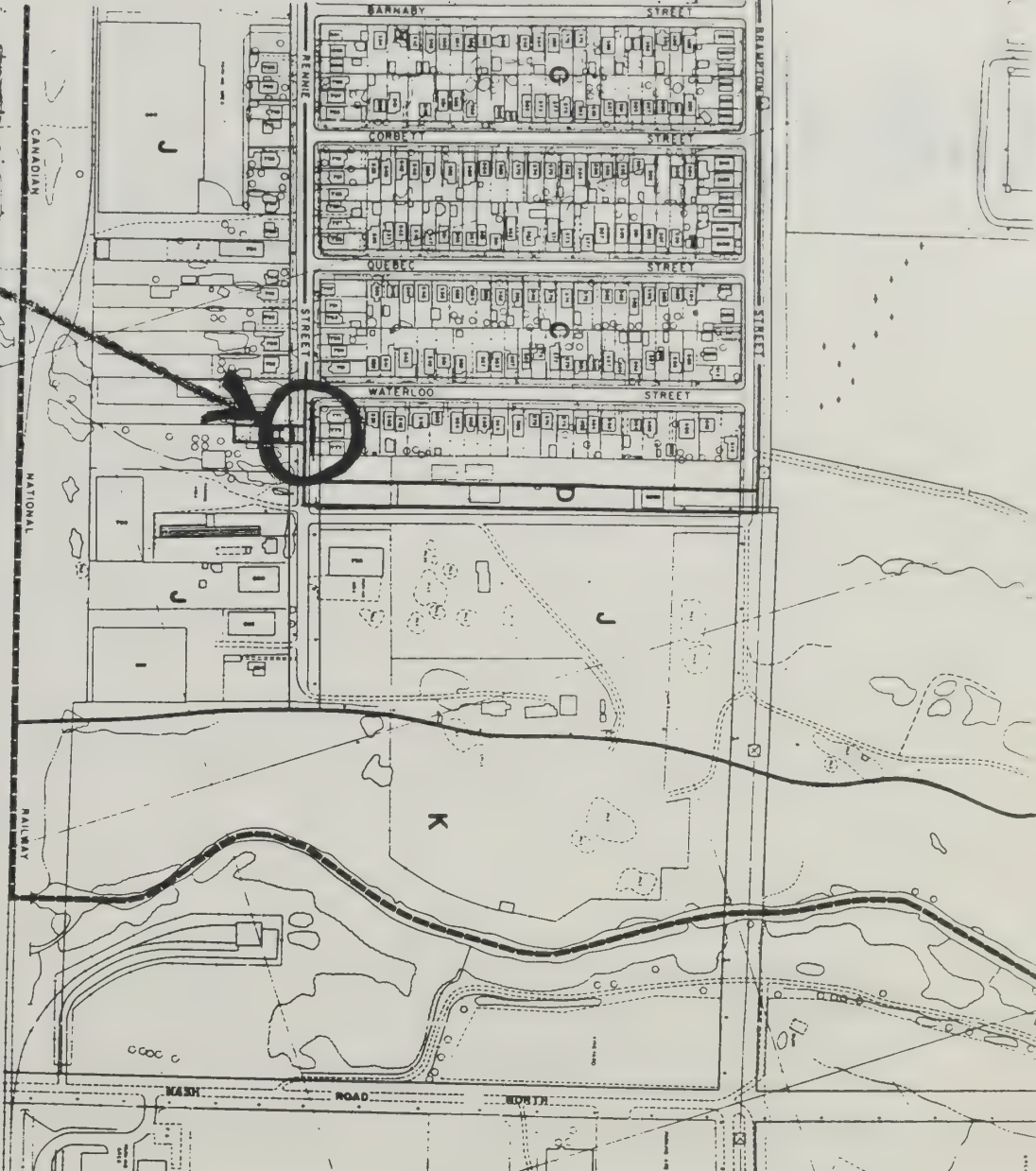
**BACKGROUND:**

We have received sufficiently-signed petitions from abutting owners to construct the above-noted works under the terms of the Local Improvement Act (see attached plan).

RPM/bg  
Attch.

cc: J. J. Schatz, City Clerk  
P. Noe Johnson, City Solicitor  
ATTN: S. Riley  
A. Ross, City Treasurer  
ATTN: N. Adhya  
G. W. Lawson, Commissioner of Finance  
V. J. Abraham, M.C.I.P., Director of Local Planning  
S. Reeder, Secretary, Finance and Administration Committee  
J. McMurray, Supervisor of Maintenance Management, Public Works

Location of  
Proposed Works



76	27	27
108	108	104
100	99	104

This is not a Legal Document  
For Zoning Verification Please  
Contact City Building Department

CITY OF HAMILTON  
PARKVIEW EAST  
ZONING

Neighbourhood Boundary  
Zoning Boundary

0 50m 100m  
SCALE  
NORTH

Prepared by The City of Hamilton  
Development Department  
Planning & Research Services

6209

108





2(cXiii)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 12

**REPORT TO:** Mr. Kevin Christenson  
Secretary, Transport and Environment Committee

**FROM:** Mr. D. Lobo  
Director, Public Works

**SUBJECT:** Construction of a Concrete Alley  
First North of Barton Street East from  
Tragina Avenue North to Weir Street North (east-west portion only)  
(PW93.1038)

**RECOMMENDATION:**

- a) That the construction of a concrete alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east-west portion only) proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$30,400. with a City's Share of \$25,175. and an Owner's Share of \$5,225. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.

for R. D. Meiers  
D. Lobo,  
Director of Public Works

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The proposed works are to be rated in accordance with the normal practice. Provision has been made for these works in the 1993 - 2002 Capital Budget. The estimated cost per metre for a concrete alley is \$95. If approved, this project will reduce the balances available in the City's Share to \$459,083. and the Owner's Share to \$471,817.

**BACKGROUND:**

We have received a sufficiently-signed petition an abutting owner to have the above-noted alley paved under the terms of the Local Improvement Act. (see attached plan)

 RPM/bg  
Attch.

cc: J. J. Schatz, City Clerk  
P. Noe Johnson, City Solicitor  
ATTN: S. Riley  
A. Ross, City Treasurer  
ATTN: N. Adhya  
G. W. Lawson, Commissioner of Finance  
V. J. Abraham, M.C.I.P., Director of Local Planning  
S. Reeder, Secretary, Finance and Administration Committee  
D. Y. Onishi, Director of Design and Construction, Roads Department









2(0)(i)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 9

**REPORT TO:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** D. W. Vyce  
Director of Property

**SUBJECT:** Alley Closure Abutting 73 Murray Street East  
Offer to Purchase Agreement  
Nadia Medill

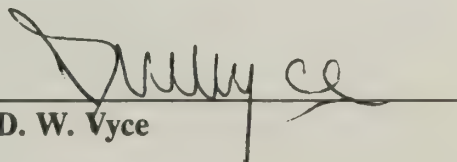
**RECEIVED**

AUG 10 1993

CITY CLERKS

**RECOMMENDATION:**

- a) That an Offer to Purchase (Highway Closure), duly executed by Nadia Medill on July 21, 1993, and scheduled to close within thirty (30) days of completion of the conditions as set out in the agreement, but in any event, no later than July 12, 1994, for the sale of part of the alley between Lots 1, 2, and 7, Registered Plan 271, having a frontage of .939 metres (3.08 feet) more or less, along the northerly limit of Murray Street East, by a depth of 11.125 metres (36.5 feet) more or less, and comprising a total area of 10.591 square metres (114.0 square feet) more or less, and designated as Part 1 on Reference Plan 62R-12253, be approved and completed, and the funds derived from this sale of \$1 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases).
- b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

  
D. W. Vyce

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

See above recommendation.



1993 August 9  
Transport and Environment Committee  
Page 2

**BACKGROUND:**

On October 8, 1991, City Council adopted Item 3 of the 14th Report of the Transport and Environment Committee thereby authorizing the stopping up, closing and sale of a portion of the subject alley.

As this alley was unassumed, it was closed by Judges Order on May 26, 1993, which was registered on title June 10, 1993 as Instrument No. 155715.

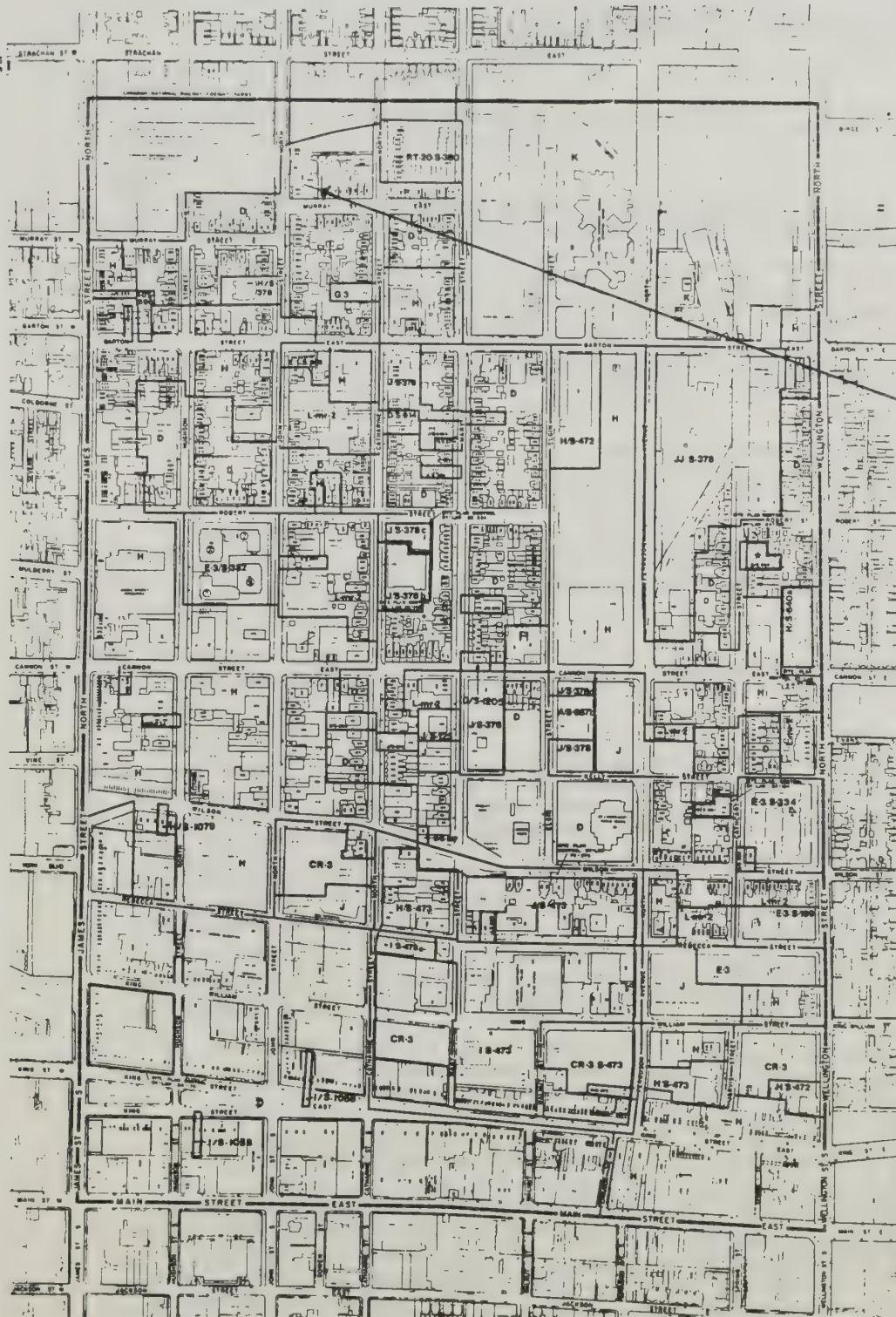
Subsequently, the City is now in a position to complete the sale of these lands to the abutting owner as desired.

WmM/nw  
Attach.

c.c. P. Noé Johnson, City Solicitor


Allan C. Ross, Treasurer, Treasury Department

C. Bandurka, Property Clerk, Surveys



SUBJECT  
PROPERTY

All Lands Within This Neighbourhood Is Subject  
To Site Plan Control By-law No. 90-285.

<div style="border: 1px solid black; padding: 2px; text-align: center;"> 107 108 89  21 10 95  41 31 125 </div>	CITY OF HAMILTON  <b>BEASLEY</b>  <b>ZONING</b>
<small>This is not a Legal Document For Zoning Verification Please Contact City Building Department.</small>	
<small>Neighbourhood Boundary Zoning Boundary</small>	<small>Prepared for The City of Hamilton by the Planning and Development Department of The Regional Municipality of Hamilton-Wentworth</small> 6703 JANUARY 1990 10

OFFER TO PURCHASE  
(HIGHWAY CLOSURE)

I/We ~~NADIA WAXMAN~~ MEDILL (also known as Nadia Waiton) of the City of Hamilton,  
in The Regional Municipality of Hamilton-Wentworth,

hereinafter called the Purchaser,

hereby agree to and with THE CORPORATION OF THE CITY OF HAMILTON,

hereinafter called the Vendor or the City,

to purchase all and singular that certain parcel or tract of land and premises situate in the City of Hamilton in The Regional Municipality of Hamilton-Wentworth and being composed of part of the alley between Lots 1, 2 and 7, Registered Plan 271, having a frontage of 0.939 metres (3.08 feet) more or less, along the northerly limit of Murray Street, by a depth of 11.125 metres (36.5 feet) more or less, and comprising a total area of 10.591 square metres (114.0 square feet) more or less, and designated as Part 1 on Reference Plan 62R-12253.

at the price of ONE----- DOLLARS (\$1.00)  
of lawful money of Canada, payable as follows:-

(a) A deposit of ----- DOLLARS (\$) ~~by certified cheque payable to the Vendor.~~

(b) The balance of the purchase price namely ----- DOLLARS (\$) ~~subject to adjustments, by certified cheque on the closing of this transaction.~~

Provided that this Offer to Purchase is subject to the following conditions:-

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the 7th day of September 1993, by a letter mailed or delivered to the Purchaser at c/o Petrini, Rubenstein and Waxman, Barristers and Solicitors, 242 James Street South, Hamilton, Ontario, L8P 3B3 Attention: Mr. G Waxman.
2. In the event that this Offer is not accepted, this Offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
4. The title is good and free from all encumbrance, except as to any registered restrictions, covenants and those easements contemplated herein.
5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed thirty days from the date of acceptance of such Offer to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs. Save as to any valid objection made within thirty days, the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.
7. (a) This transaction shall be closed within 30 days after the conditions in this Offer (and in its Schedules, if any) have been fulfilled to the satisfaction of the City;



- (b) In the event that the said conditions are not fulfilled on or before the 12th day of July, 1994, then this Agreement shall be at an end and the deposit shall be returned to the Purchaser without interest and the City shall not be liable to reimburse the Purchaser for any expenses. The Purchaser agrees to execute, if requested, a release of this Agreement in a form satisfactory to the City Solicitor.
8. This transaction is subject to the following conditions being fulfilled to the satisfaction of the City on or before the completion of the sale of land to the Purchaser:
- (a) Publication of Notice by the City having taken place in the newspaper for four successive weeks of Council's intent to,
- (i) pass a by-law(s)  
- to close the highway, (where a portion of the highway included in this sale is to be closed by bylaw);  
- to authorize this sale of the closed highway; and  
- to authorize an alteration to a highway (where there is an alteration to a highway other than its closing subject to an alteration bylaw), [Sections 300 and 302 of the Municipal Act, R.S.O. 1990];
- (ii) hear any person who claims that their land will be prejudicially affected by the by-law, [Section 300 of the Municipal Act, R.S.O. 1990];
- (b) The Regional Municipality of Hamilton-Wentworth not exercising its right, within 60 days of notification, to object to the passing of the highway closing by-law or the application for a Judge's Order (as the case may be) to close the said highway; [Regional Municipalities Act, R.S.O. 1990, Section 44];

ASSUMED/NON-ASSUMED HIGHWAYS - PROVISIONS

- nm* (c) Where the said highway or a portion thereof included in this sale has BEEN assumed by the City, the closing of this sale is also conditional upon;
- Firstly, the passing and registration of a by-law (pursuant to Section 297 of the Municipal Act, R.S.O. 1990), to stop-up, close and authorize the sale to the Purchaser of the said portion of the said municipal highway;
- Secondly, the approval of the Minister of Municipal Affairs to the highway closing by-law, where the highway being closed was laid out on a plan of subdivision registered after March 27, 1946, [Municipal Act, R.S.O. 1990, Section 297(10)];
- Thirdly, upon the City's compliance with the provisions of the Municipal Act respecting the closing and selling of highways and, in this regard, it is expressly understood and agreed that, notwithstanding acceptance of this Offer by the City,
- (i) that the City in its discretion may or may not decide to close-up and sell all or a portion of the said street: after the highway closure and sale is advertised and circulated to public agencies and/or after holding the required public hearing and comments are received; and
- (ii) where the Purchaser is not the adjacent registered owner of a portion of the highway included in this sale, that the City is required to first offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, that portion of the highway (after its closure) to the adjacent owner(s) and that if the adjacent owner exercises its right to purchase, the sale of such portion of the said highway to the Purchaser herein shall be cancelled as provided for in clause 8 (e);
- (d) Where the said highway or a portion thereof included in this sale has NOT been assumed by the City, the closing of this sale is also conditional upon,
- (i) the Purchaser at its expense obtaining a plan of survey -- Reference Plan of the subject highway (alley) laid out satisfactory to the Regional Surveyor's Office;
- nm*

- (ii) an Order being issued by the Court (pursuant to the Registry Act, c. R.20, R.S.O. 1990, Section 88) and registered on title to close the said unassumed highway. Such Order shall be applied for by the Purchaser on behalf of and in the name of the City entirely at the Purchaser's expense. The Purchaser shall make such application using forms and processes satisfactory to the City Solicitor;
- (iii) the fact that the Court, notwithstanding acceptance of this Offer by the City, upon receiving the application in the City's name for an Order to close up the portion of the unassumed highway included in this sale, may or may not in its discretion, issue the Order requested or that the Court may Order less than the closing requested or may make its Order subject to such terms and conditions as it considers appropriate; The Purchaser agrees that this Offer is conditional upon and subject to the Order of the Court;
- (iv) this Offer to Purchase is conditional upon the City's compliance with the provisions of the Municipal Act and the Registry Act respecting the closing and selling of highways and in this regard, it is expressly understood and agreed that, notwithstanding acceptance of this Offer by the City,
  - (1) that the City in its discretion may or may not decide to sell all or a portion of the said street: after holding a public hearing and comments are received and/or after the highway closure and sale is advertised and circulated to public agencies; and
  - (2) where the Purchaser is not the adjacent registered owner of a portion of the highway included in this sale, that the City is required to first offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, that portion of the highway (after its closure) to the adjacent owner(s) and that if the adjacent owner exercises its right to purchase, the sale of such portion of the said highway to the Purchaser herein shall be cancelled as provided for in clause 8 (e);

NOTE TO AGENT: Delete either 8.(c) or 8.(d), above.

ADJACENT/NON-ADJACENT OWNER(S) - PROVISIONS

Where a portion of the highway being sold to the Purchaser is NOT ADJACENT to lands owned by the Purchaser, but adjacent to lands of another, -- the closing of this sale to the Purchaser is also conditional upon the adjacent registered land owner(s) deciding not to accept, within the time limit fixed by City by-law, the City's offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, the said portion of the adjacent closed street at the price such land is being offered herein to the Purchaser.

In the event the adjacent registered owner(s) exercises its right to so purchase, this Agreement shall

- (i) be null and void and the deposit shall be repaid to the Purchaser without interest; or
- (ii) remain in full force and effect except that the Purchaser shall be entitled to purchase only that portion of the closed street upon which the Purchaser's land abuts having a frontage of \_\_\_\_\_ and a depth of \_\_\_\_\_ more or less, at the reduced price of \$ \_\_\_\_\_ and the Offer to Purchase shall be deemed amended accordingly;

NOTE TO AGENT: Delete 8.(e) if not applicable; if 8.(e) is applicable, delete either 8.(e)(i) or 8.(e)(ii), above.

ASSIGNMENT BY PURCHASER - PROVISIONS

- 9. (a) Where the highway included in this sale is comprised solely of a portion of a highway which is not adjacent to any land of the Purchaser, no assignment of the interest of the Purchaser or any portion of this Offer shall be valid unless and until the assignee(s), the Purchaser and the City enter into an Assignment and Assumption Agreement satisfactory to the City which includes,



- nm*
- (i) the assignee's covenant to the City to fulfil all of the obligations of the assignor, including the purchase of the highway after its closing as provided for herein, handling at its expense the application for a Judge's Order (if any) and easement(s) (if any); and
  - (ii) confirmation of City's rights to retain the deposit and application fees received from the original Purchaser in event of any default by the assignee of the Purchaser;
- (b) Where the highway included in this sale is comprised both of a portion of a highway which is adjacent to land of the Purchaser and a portion of highway which is not adjacent to land of the Purchaser, this Offer to Purchase may not be assigned by the Purchaser;
- (c) Where the highway included in this sale is comprised solely of a portion of a highway which is adjacent to land of the Purchaser,
- (i) subject to paragraph (ii) below, in the event the Purchaser, at any time prior to the completion of this sale to the Purchaser, the Purchaser sells his adjacent land or in the event that upon completion of this sale to the Purchaser it is determined by the City that the Purchaser is not the registered owner of the adjacent land - this Agreement shall be at an end and the Purchaser's deposit shall be forfeited to the City in addition to any other rights the City may have and the City shall not be liable for any expenses incurred by the Purchaser;
  - (ii) this Offer to Purchase may be assigned by the Purchaser, provided the Purchaser, the new owner of the Purchaser's adjacent land and the City have entered into an Assignment and Assumption Agreement satisfactory to the City.
  - (iii) Such Assignment and Assumption Agreement shall include the following requirements:
    - (1) the assignee's covenant to the City to fulfil all of the obligations of the assignor, including the purchase of the highway after its closing as provided for herein, handling at its expense the application for a Judge's Order (if any) and easements;
    - (2) confirmation of City's rights to retain the deposit and application fees received from the original Purchaser in event of any default by the assignee of the Purchaser; and
    - (3) that the assignee is the new registered owner of the original Purchaser's adjacent land.

NOTE TO AGENT: Delete two of - 9.(a) (b) or (c).

**EASEMENTS**

- nm*
10. (a) The closing of this sale transaction is also conditional,
- (i) upon the Purchaser entering into and registering easement(s) in favour of the Utility(ies) required below; or
  - (ii) the City granting such easements.

NOTE TO AGENT: Delete 10.(a) if not applicable; if 10.(a) is applicable, delete either 10.(a)(i) or 10.(a)(ii), above.

The City's deed to the Purchaser shall be subject to such registered easement(s) in favour of the Utility(ies) required below:

- | <u>Utility</u>                                    | <u>Part(s) on Ref Plan/Schedule</u> |
|---|-------------------------------------|
| - The Regional Municipality of Hamilton-Wentworth |                                     |
| - Union Gas Limited                               |                                     |
| - Bell Telephone Company                          |                                     |
| - Ontario Hydro                                   |                                     |
| - Hamilton Hydro                                  |                                     |
| - Local Cablevision Company                       |                                     |
| - Other -   |                                     |
- nm*



- 777
- (b) Regarding the said easement(s), the Purchaser acknowledges and agrees:
- (i) that the Purchaser is required at its expense, to enter into the said easement Agreement(s), with and satisfactory to each Utility unless the City shall grant such easements. Such easement shall be registered before the completion of the sale of the closed highway to the Purchaser or shall be registered as otherwise required by the City or the Utility;
  - (ii) that within the said highway being closed and sold to the Purchaser are installed or, are intended to be installed, the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway unless otherwise set out herein; and
  - (iii) that the Easement Agreement with a Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the lands included in this sale and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires.
11. The Purchaser hereby covenants and agrees to and with the City, 777
- (a) to not object to the closure and sale of the highway and the Purchaser hereby consents to the closing of the said street, including other portions thereof, if any, being sold to others;
  - (b) to accept title to the portion of the closed street included in this sale to the Purchaser subject to all existing registered easements and to all existing works of any Utility; and
  - (c) after taking title to the closed street from the City, the Purchaser acknowledges that he has all financial responsibility for the costs of developing the land and for the costs of obtaining all necessary services and approvals. No representation at all is made by the City on the willingness of any existing or proposed Utility to relocate or otherwise accommodate the Purchaser's use.
12. On the closing of this transaction, the Vendor will convey the said lands to the Purchaser by a good and sufficient deed thereof in fee simple, free and clear of all encumbrances subject to the easements referred to herein and except as to any registered restrictions or covenants and shall deliver vacant possession of the said lands to the Purchaser free of all tenancies.
13. The Purchaser shall assume taxes, local improvements, water and sewer rates from and after the date this transaction is completed with the Purchaser.
14. The deed or transfer is to be prepared by the Vendor in accordance with a plan of survey of the Vendor. If the Vendor does not have a plan of survey, the Purchaser shall have a plan of survey prepared at the Purchaser's expense satisfactory to the Vendor.
15. Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.
16. In the event of failure of the Purchaser to complete this transaction by the required closing date, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.
17. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under the Planning Act, R.S.O. 1990. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.
18. This Agreement and its acceptance is to be read with all changes of gender or number required by the context. Headings in this Offer are for convenience only and do not affect the text of the Offer's provisions.

Time shall be of the essence of this Agreement, which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

In this Offer the term highway includes alley or lane.

Forming part of this Offer to Purchase is/are Schedule(s) A attached hereto.

DATED at Hamilton this 21<sup>st</sup> day of July 1997.  
SIGNED, SEALED AND DELIVERED ) Nadia ~~Waxman~~ Medill (Grator) (Seal) or c/s  
in the presence of ) NADIA ~~WAXMAN~~ Medill aka Nadia Waxman  
 ) \_\_\_\_\_ (Seal)  
 ) \_\_\_\_\_ (Seal)  
 ) \_\_\_\_\_ (Seal)

Name of Purchaser's Lawyer:

Address of Purchaser's Lawyer:

GARY WAXMAN  
242 JAMES ST S  
HAMILTON ONT L8P 3R3  
Telephone: 525 9632  
Fax: 521 0690

City's Lawyer:

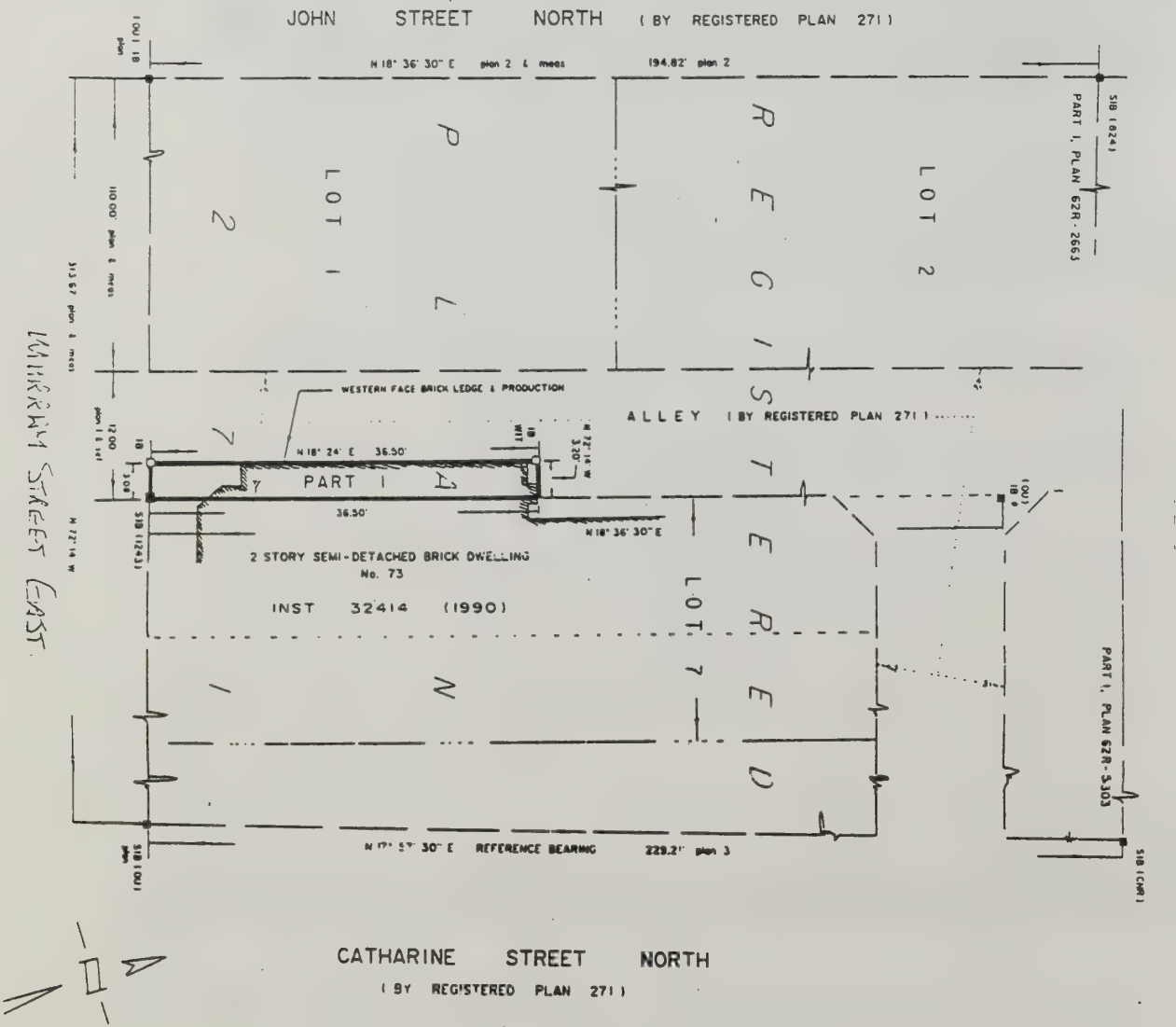
Law Department,  
The Corporation of the City of Hamilton,  
71 Main Street West,  
P.O. Box 2040,  
Hamilton, Ontario.  
L8N 3T4

Telephone: 546-4520  
Fax: 546-2142

GENERAL NOTE TO AGENTS:

Delete non-applicable paragraphs/clauses (if any) from this Offer to Purchase with heavy diagonal lines -- do not remove non-applicable paragraphs and clauses and do not re-number sections.

SCHEDULE "A"



I REQUIRE THIS PLAN TO BE  
DEPOSITED UNDER THE  
REGISTRY ACT

PLAN 62R-12253  
RECEIVED AND DEPOSITED

June 15, 1992  
DATE

DATE 1992 07 09

*Roger Blau*  
-----  
ROGER BLAUS

*C. RADLEY DRY*  
-----  
LAND REGISTRAR FOR THE REGISTRAR  
DIVISION OF WENTWORTH (52)

SCHEDULE			
PART	LOCATION	INSTRUMENT	AREA (M <sup>2</sup> )
1	PART OF THE ALLEY BETWEEN LOTS 1, 2 & 7 REGISTERED PLAN 271	BY REGISTERED PLAN 271	11.4

**CAUTION**

THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT

PLAN OF SURVEY OF  
PART OF THE ALLEY BETWEEN LOTS 1, 2 & 7  
REGISTERED PLAN 271

**in the**

CITY OF HAMILTON

## REGIONAL AFFILIITY OF HAMILTON-WENTWORTH

SCAF 1735

EDWARD PARISH OLS. 1992

**BEARING NOTE**

**BEARING NOTE**  
BEARINGS ARE AS SHOWN AND ARE REFERRED TO THE MESSING LINE OF  
CIVILIAN STREET. AS SHOWN ON PLAN HAVING A BEARING OF N 7° 30' E

## LEGEND

- [illegible]

**SURVEYOR'S CERTIFICATE**

- 1 CERTIFY THAT:  
2 THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT  
3 AND THE OFFICIAL ACT AND THE REGULATIONS MADE THEREUNDER  
4 THE SURVEY WAS COMPLETED ON THE 11th DAY OF June 1992

June

۶۹۶

Edward Bark.



2 (0xii)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 11

**REPORT TO:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** D. W. Vyce  
Director of Property

**SUBJECT:** Proposed Bus Shelter Installation  
Mohawk Road East at Upper Wentworth Street

**RECOMMENDATION:**

- a) That approval be given to the Hamilton Street Railway Company to install a 5 foot by 10 foot bus shelter located at 775 Upper Wentworth Street, as per the attached plan, at an annual fee of \$1.00 to be credited to Account No. CH 44104 31106 (Rent Oblique fees - City Property).
- b) That the Mayor and City Clerk be authorized to execute the necessary Licence Agreement in a form satisfactory to the City Solicitor.
- c) That it is understood and agreed that the Hamilton Street Railway Company will remove the said bus shelter if required by the City, for any purpose, given thirty (30) days written notice without reservation.

  
D. W. Vyce

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:** ~~N/A~~

**BACKGROUND:**

The Hamilton Street Railway Company identified the subject site as a desirable location for a neighbourhood bus shelter installation.

Subsequently, the Real Estate Division has reviewed this request and could find no apparent reason to object. This site is directly abutting a City Fire Station located at 775 Upper Wentworth Street. Upon circularization, the Fire Department has assured us that this request will not interfere with its present operations.

1993 August 11  
Transport and Environment Committee  
Page 2

Consequently, it is our recommendation that approval be granted to the Hamilton Street Railway Company to install the bus shelter as proposed.

WmM/nw  
Attach.

c.c. P. Noé Johnson, City Solicitor

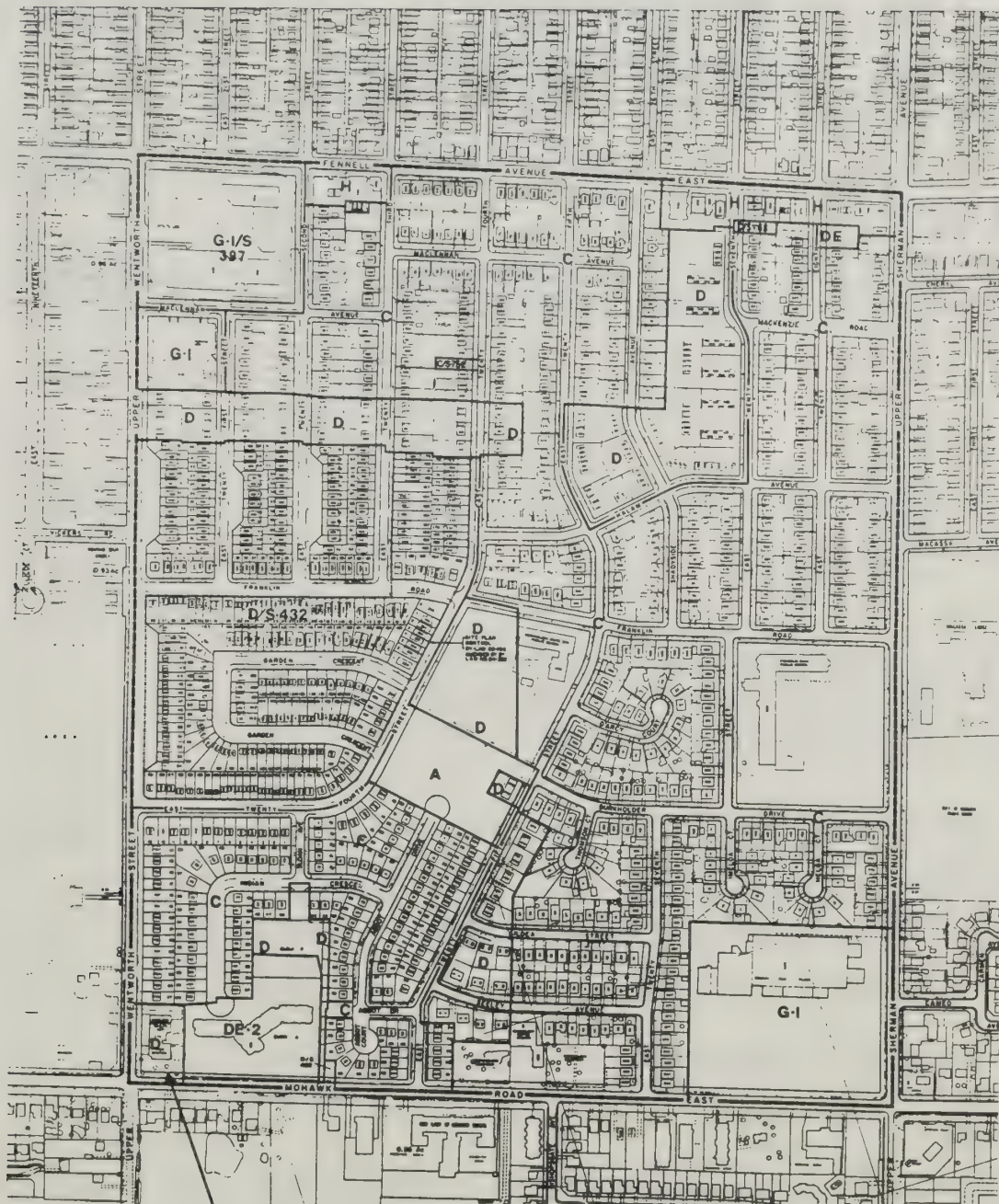
R. C. Roszell, Commissioner and Corporate Counsel, Legal Services Department  
**Attention: H. Psarakis-Vastis**

Chief G. Baker, Fire Chief, Hamilton Fire Department

C. Bandurka, Property Clerk, Surveys

L. Dale Turvey, Commissioner of Transportation and Environmental Services  
**Attention: D. Rieger**

(93R-68)



SUBJECT SITE

<table border="1"> <tr> <td>06</td> <td>42</td> <td>111</td> </tr> <tr> <td>06</td> <td>16</td> <td>06</td> </tr> <tr> <td>16</td> <td>130</td> <td>06</td> </tr> </table> <p>This is not a Legal Document For Zoning Verification Please Contact City Building Department.</p>	06	42	111	06	16	06	16	130	06	<p>CITY OF HAMILTON</p> <p><b>BURKHOLME</b></p> <p><b>ZONING</b></p>
06	42	111								
06	16	06								
16	130	06								
<p>Neighbourhood Boundary</p> <p>Zoning Boundary</p> <p>Prepared for The City of Hamilton by the Planning and Development Department of the Regional Municipality of Hamilton-Wentworth</p>	<p>0 100m</p> <p>SCALE</p> <p>PLANNING LAW NO. 7206</p> <p>JUNE 1995</p> <p>PAGE NO. 18</p>									





2(E)(i)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 9  
S705-33 P. Strong  
S726-157

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** E. M. Gill, P. Eng.  
Senior Director  
Regional Roads Department

**SUBJECT:** 1993 Servicing Expenditures Related to Subdivisions (R-93-61)

**RECOMMENDATION:**


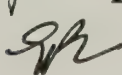
a) That Item 46 of the Eighth Report of the Transport and Environment Committee approved June 29, 1993, be **RESCINDED** as this item is no longer required for the development of **Edan Heights - Phase 3**, Hamilton.

b)(i) That the estimated City share of works required under the Modified Subdivision Agreement with the Owner of certain lands on Bow Valley Drive, (Vedemo Construction Limited), in conjunction with **SEVERANCE APPLICATION H-76-92, Hamilton**, be approved;

City's Share - \$1,410.27 Owners share - \$28,631.64

and that the Finance and Administration Committee recommend the method of financing the City share.

b)(ii) That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement with the Owner (Vedemo Construction Limited), for the lands under Severance Application H-76-92, Hamilton, as well as any other related documents for this Modified Subdivision Agreement, subject to the approval of the City Solicitor.

  
\_\_\_\_\_  
per: E. M. Gill, P. Eng.  


cont'd...

**1993 Servicing Expenditures Related to Subdivisions (R-93-61)**

cont'd...

***FINANCIAL/STAFFING/LEGAL IMPLICATIONS:***

**EDAN HEIGHTS - PHASE 3, Hamilton**

There are no financial requirements in this report for Edan Heights - Phase 3. In order to provide for the installation of the City's Local Improvement services by the Subdivider of "Edan Heights - Phase 3", City Council approved Item 46 of the Eighth Report of the Transport and Environment Committee on June 29, 1993. This resolution recommended approval for revised engineering schedules for "Edan Heights -Phase 3" which included the City's share of road works on Acadia Drive. The estimated City's share was approved at \$49,696.75, and was to be financed from related subdivision development accounts. These funds are no longer required because the funds for this project have previously been provided for under approved 1993 Local Improvement projects.

**SEVERANCE APPLICATION H-76-92, Hamilton**

The two single family lots being created under this severance application are adjacent to City parklands. In accordance with current City cost sharing policies, the City will pay 50% of the cost for the fence. The total estimated cost of the City's share to be approved at this time for Severance Application H-76-92, is \$1,410.27 and is associated with the proposed fencing adjacent to Parts 1 and 2, Plan 62R-12422. The City's share (\$1,410.27) of the fence is non-recoverable.

***BACKGROUND:***

**EDAN HEIGHTS - PHASE 3, Hamilton**

The developer of Edan Height - Phase 3 entered into a Subdivision Agreement to install various City services along Acadia Drive. The road allowance for Acadia Drive was established as a Public Highway a number of years ago. The final roadway was successfully petitioned for as a Local Improvement project earlier this year. Item 46 of the 8th Report of the Transport and Environment Committee as adopted by City Council on June 29, 1993, provided for the developer's contractor to complete the road works on Acadia Drive adjacent to Edan Heights - Phase 3 and Brebeuf High School.

cont'd...



**1993 Servicing Expenditures Related to Subdivisions (R-93-61)**

cont'd...


However, the Developer's contractor was not in a position to complete the road works before September of this year when the fall school term was to commence. Therefore, the Region tendered a contract on behalf of the City which included the road works for Acadia Drive. As a result, the developer of Edan Heights - Phase 3 will not be completing the said works under the Subdivision Agreement.

**SEVERANCE APPLICATION H-76-92, Hamilton**

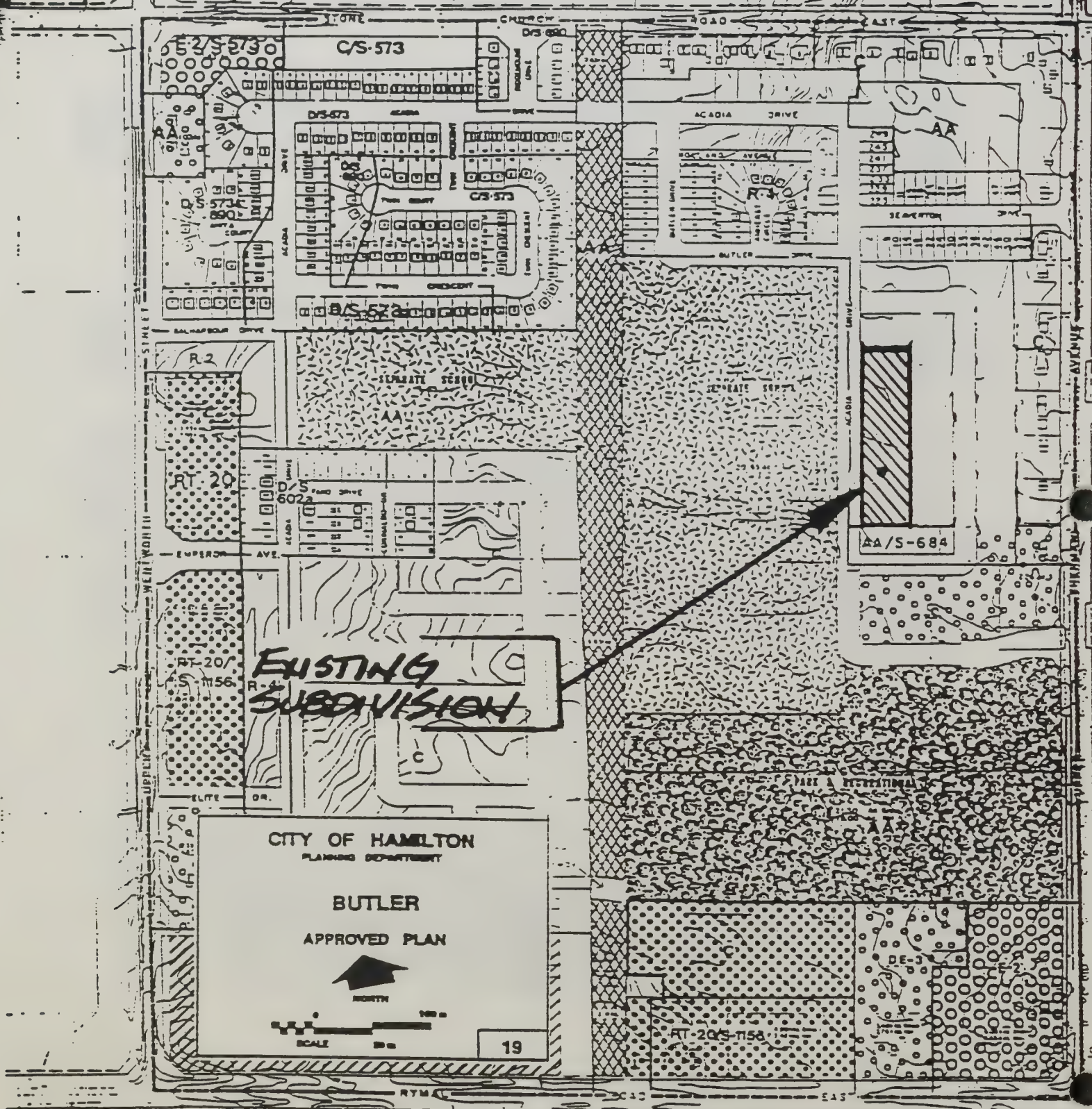
The developer has made application to the Land Division Committee for land severance. The Land Division Committee granted the severance application subject to certain conditions. One of the conditions of approval, was that the owner, Vedemo Construction Limited, enter into a Modified Subdivision Agreement with the City of Hamilton.

Two single family lots and one Townhouse Block will be created by the subject application. These lands are located on Bow Valley Drive and also abut City parkland. Under the current policies, fencing is required to be constructed between the single family lots and the parkland. The City will cost share for 50% of the installation of a 1.5 metre high chain link fence. The City's share of the fencing (\$1,410.27) must be approved at this time.

The remaining lands of the Subdivider, Part 1, Plan 62R-12421, are being developed under site plan application DA-92-62 which includes approximately 45 townhouse units. The approval of the site plan requires the owner to install a closed board fence adjacent to the parklands at his expense.

 PS

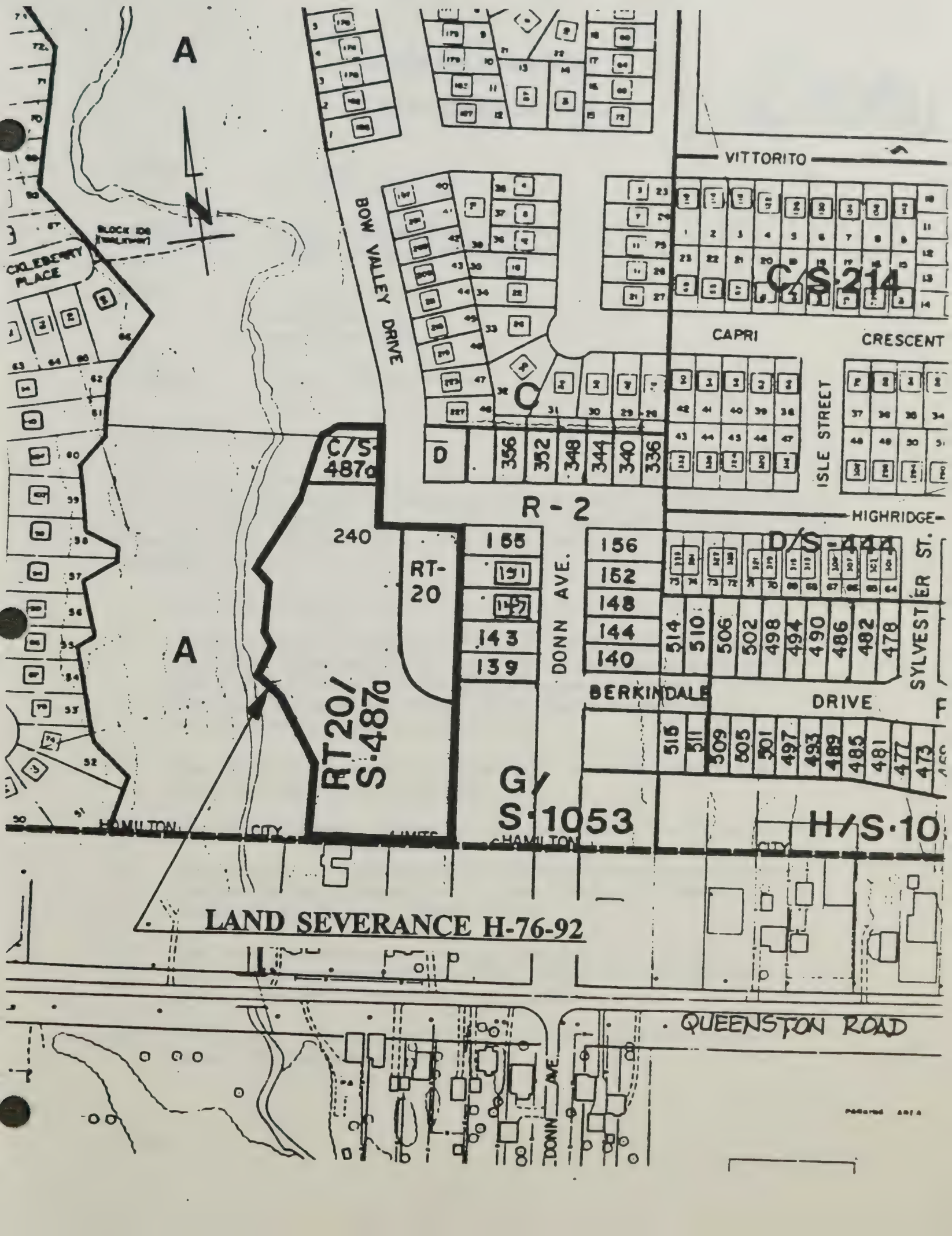
cc: Councillor D. Ross, Chairman, Finance & Administration Committee  
cc: S. Reeder, Secretary, Finance & Administration Committee  
cc: A. Ross, City Treasury Department  
cc: D. Powers, City Law Department



KEY PLAN FOR "EDAN"

11-11-11 DWG 2"





A

BLOCK 106 (WILLOW)

COLEBERRY PLACE

BOW VALLEY DRIVE

VITTORITO

CAPRI

CRESCENT

ISLE STREET

HIGHRIDGE-

R-2

C/S-487

240

RT-20

DONN AVE.

156  
152  
148  
144  
140

BERKINDALE

DRIVE

SYLVESTER ST.

A

RT20/  
S-487

G/  
S-1053

H/S-10

LAND SEVERANCE H-76-92

QUEENSTON ROAD

DONN AVE

PARCELS AREA





**CITY OF HAMILTON**  
**- RECOMMENDATION -**

2(E)(ii)

**DATE:** 1993 August 12  
T103 23 (4) M. Preston

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** E. M. Gill, P. Eng.  
Senior Director  
Roads Department

**SUBJECT:** Corsica Court Street Party R-93-66

**RECOMMENDATION:**

That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of A. Demik, agent for the Hamilton Mountain Provincial Riding Association, to temporarily close Corsica Court at Bonaparte Way, on Thursday July 22, 1993 from 6:00 pm to 9:00 pm to hold a Street Party, subject to the following conditions:

- i) That approval from Regional Police Services be received;
- ii) That the applicant provide proof of \$2,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- iii) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- iv) That all barricading be supplied by and at the expense of the applicant;
- v) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
- vi) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
- vii) That no property owner or resident within the barricaded area be denied access to their property upon request;

**Cont'd...**

**Corsica Court Street Party**

Cont'd...

- viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

  
E.M. Gill, P. Eng.

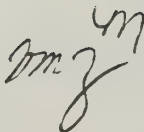
**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

An application was received from A. Demik, agent for the Hamilton Mountain Provincial Riding Association, to hold a Street Party on Corsica Court on Thursday July 22, 1993, from 6:00 pm to 9:00 pm.

As all affected home owners signed a petition in favour of the Street Party, and as there have were no objections voiced by municipal departments, this Department was in favour of this event.

 MJP:

cc: Staff Sgt. M. Heddle, Regional Police Services  
cc: D. Lobo, Director of Public Works  
cc: M.F. Main, Director of Traffic Services



**CITY OF HAMILTON**  
**- RECOMMENDATION -**

2 (EXiii)

**DATE:** 1993 August 11  
T103-23 (5) M. Preston

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** E. M. Gill, P.Eng.  
Senior Director  
Roads Department

**SUBJECT:** Westdale B.I.A.  
Temporary Closure of King Street West Between  
North Oval and Cline Avenue R-93-65

**RECOMMENDATION:**

That the application of D. Upsdell, agent for the Westdale Business Improvement Association (991 King Street West, Hamilton), to temporarily close King Street West between North Oval and Cline Avenue, on Saturday September 18, 1993, from 8:00 am to 12:00 midnight be approved, subject to the following conditions:


- i) That approval from Regional Police Services be received;
- ii) That the applicant provide proof of \$2,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- iii) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- iv) That all barricading be supplied by and at the expense of the applicant;
- v) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
- vi) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
- vii) That no property owner or resident within the barricaded area be denied access to their property upon request;

Cont'd...

Westdale Village Festival

Cont'd...

- viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

  
\_\_\_\_\_  
E. M. Gill, P. Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

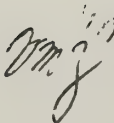
**BACKGROUND**

D. Upsdell, agent for the Westdale Village B.I.A., is requesting the closure of King Street West from North Oval to Cline Avenue, on Saturday September 18, 1993, from 8:00 am to 12:00 midnight, in order to hold the annual Westdale B.I.A. Festival. The closure is necessary to provide for the safety of the large numbers of spectators expected to attend this event.

Regional Police Services will require 2 officers to provide traffic control for a total cost of \$1216. Hamilton Street Railway will place an advertisement in the newspaper informing the public of the associated bus detours at a cost of \$684.80. These amounts will be drawn from the Regional account for special events.

City of Hamilton Traffic Department will incur costs of approximately \$500. for the implementation and removal of "No Parking" and "Temporary Road Closure" signs and bagging of meters. This amount will be paid for by the applicant.

As Regional Police Services can provide appropriate detour routes and as the affected municipal departments have been notified and no objections have been received, this Department is in favour of the event.

 MJP:

cc: Staff Sgt. M. Heddle, Regional Police Services  
cc: D. Lobo, Director of Public Works  
cc: M.F. Main, Director of Traffic Services

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

2(Exiv)

**DATE:** 1993 August 10  
T103 23 (5) J. K. Clairmont

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** E. M. Gill, P. Eng.  
Senior Director  
Roads Department

**SUBJECT:** Greater Hamilton Aquafest R-93-63

**RECOMMENDATION:**

That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of A. Bradford, agent for The Regional Municipality of Hamilton-Wentworth, Economic Development Department (1 James Street South, Hamilton) to temporarily close the following City streets from Friday July 23, 1993 at 8:00 am to Monday July 26, 1993 at 5:00 pm:

Bay Street North from Burlington to Guise  
MacNab Street North from Burlington to Guise  
James Street North from Burlington to Guise  
Hughson Street North from Burlington to Guise  
John Street North from Burlington to Guise  
Catharine Street North from Burlington to Guise  
Mary Street North from Burlington to Guise  
Ferguson Avenue North from Burlington to Guise  
Guise Street from Bay to Ferguson;

for the annual Greater Hamilton Aquafest, provided;

- i) That approval from the Regional Police Services be received;
- ii) That the applicant provide proof of \$2,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- iii) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- iv) That all barricading be supplied by and at the expense of the applicant;
- v) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;

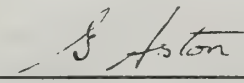
Cont'd...



Aquafest

Cont'd...

- vi) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
- vii) That no property owner or resident within the barricaded area be denied access to their property upon request;
- viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

  
\_\_\_\_\_  
E. M. Gill, P. Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

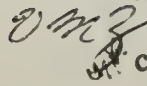
A. Bradford, agent for the Regional Municipality of Hamilton-Wentworth, Economic Development Department, requested the closure of the following City streets for Aquafest, from Friday July 23, 1993 at 8:00 am to Monday July 26, 1993 at 5:00 pm:

Bay Street North from Burlington to Guise  
MacNab Street North from Burlington to Guise  
James Street North from Burlington to Guise  
Hughson Street North from Burlington to Guise  
John Street North from Burlington to Guise  
Catharine Street North from Burlington to Guise  
Mary Street North from Burlington to Guise  
Ferguson Avenue North from Burlington to Guise  
Guise Street from Bay street to Ferguson Avenue.

As the festival was held this year in conjunction with the opening of the City's Pier 4 Park, the closures were necessary to provide for the safety of the numerous spectators expected.

Regional Police Services provided 14 officers for traffic control at a cost of \$3048. This amount was drawn from the Regional account for special events. The Traffic Department provided "Temporary Road Closure" signs at a cost of \$1350. This amount was paid for by the applicant.

As the appropriate municipal departments were notified of the event and no objections were received and as Regional Police Services could provide proper detour routes, this Department was in favour of the event.

 cc: Staff Sgt. M. Heddle, Regional Police Services  
cc: M.F. Main, Director of Traffic Services

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

2 (EXV)

**DATE:** 1993 August 10  
T103 23 (2) M. Preston

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** E. M. Gill, P. Eng.  
Senior Director  
Roads Department

**SUBJECT:** Hess Village Grand Prix Bicycle Race  
Sunday August 8, 1993 R-93-64

**RECOMMENDATION:**

That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of T. Farrar, agent for Cycle Hamilton (244 Jackson Street West, Hamilton) to temporarily close Hess Street from King to Main, George Street from Queen to Ray and Ray Street from George to King on Sunday August 8, 1993 from 1:00 pm to 7:00 pm, in order to hold the annual Hess Village Grand Prix Bicycle Race, subject to the following conditions:

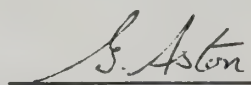
- i) That approval from Regional Police Services be received;
- ii) That the applicant provide proof of \$2,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- iii) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- iv) That all barricading be supplied by and at the expense of the applicant;
- v) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services, and at the expense of the applicant;
- vi) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;

Cont'd...

Hess Village Grand Prix

Cont'd...

- vii) That no property owner or resident within the barricaded area be denied access to their property upon request;
- viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

  
E. M. Gill, P. Eng.

*FINANCIAL/STAFFING/LEGAL IMPLICATIONS:*

N/A

*BACKGROUND:*

A request was received from T. Farrar, agent for Cycle Hamilton, requesting permission to close Hess Street from King to Main, George Street from Queen to Ray and Ray Street from George to King on Sunday August 8, 1993 from 1:00 pm to 7:00 pm for the Hess Village Grand Prix cycling race.

Regional Police Services provided officers for traffic control at a cost of \$1632.00. This amount was drawn from the Regional account for special events. The Traffic Department posted "Temporary Road Closure" signs and bagged meters for this event at cost of \$895.56. The costs associated with the use of Regional roads were drawn from the Region's special events account and the costs associated with the use of City streets were the responsibility of the applicant.

As Regional Police Services provided proper detour routes and as the appropriate municipal departments were notified and no objections were received, this Department was in favour of the event.

4178 MJP:

cc: Staff Sgt. M. Heddle, Police Services  
cc: M. Main, Director of Traffic Services



**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 13  
T103 03 (A) M. Preston

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** E. M. Gill, P. Eng.  
Senior Director  
Roads Department

**SUBJECT:** Temporary Closure of Webster Road  
R-93-67

**RECOMMENDATION:**

That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of B. Nash (50 Webster Road, Stoney Creek) to close Webster Road on Saturday July 10, 1993 from 2:00 pm to 10:00 pm, in order to control the unauthorized use of private property for parking during a fireworks display at the adjacent Battlefield Park, subject to the following conditions:

- i) That approval from Regional Police Services be received;
- ii) That the applicant provide proof of \$2,000,000 public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- iii) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- iv) That all barricading be supplied by and at the expense of the applicant;
- v) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
- vi) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;

Cont'd...

Closure of Webster Road

Cont'd...

- vii) That no property owner or resident within the barricaded area be denied access to their property upon request;
- viii) That all property owners and tenants along the closed portion of the route be notified of the closure by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

  
for: E. M. Gill, P. Eng.

***FINANCIAL/STAFFING/LEGAL IMPLICATIONS:***

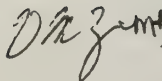
N/A

***BACKGROUND:***

A request was received from B. Nash, a resident of Webster Road, to temporarily close Webster Road on Saturday July 10, 1993 from 2:00 pm to 10:00 pm. The closure of the road, which falls under the jurisdiction of the City of Hamilton, was requested to control the parking of cars on private lands during a fireworks display at the adjacent Battlefield Park.

B. Nash experienced this traffic problem during several previous events at the park and was concerned for the safety of the public because the orchards along Webster Road were being sprayed with insecticide the same day as the event.

As all municipal departments affected were informed of the closure and no objections were received, and as emergency vehicles were able to access the area, this Department was in favour of the closure.

 MJP:

cc: M. Main, Director of Traffic Services  
cc: Staff Sgt. Heddle, Regional Police Services  
cc: D. Lobo, Director, Public Works Department  
cc: D. Peters, Fire Department

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

2 (EXvii)

**DATE:** 1993 August 16  
T103-51 J. K. Clairmont

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** E. M. Gill, P.Eng.  
Senior Director  
Roads Department

RECEIVED

AUG 16 1993

**SUBJECT:**

Encroachment Agreements (R-93-68)

CITY CLERKS

**RECOMMENDATION:**

That the applications to retain inadvertent encroachments at the locations outlined on Schedule "A", appended hereto, be approved during the pleasure of Council provided:

- a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.
- c) That the first year fees and subsequent annual fees outlined in Schedule "A" be set for the encroachments.

  
for: E. M. Gill, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

See above "Recommendation".

Cont'd .....



-Page 2-  
1993 August 16

## Encroachment Agreements

Cont'd...

### ***BACKGROUND:***

The existing roadway encumbrances may be permitted subject to the normal requirements contained in a Standard Encroachment Agreement.

The City of Hamilton's policy is that if an existing or a proposed non-building encroachment does not impede the functions within the road allowance, the encroachment may be approved by Council, subject to an agreement and an annual fee.

We have reviewed these applications and find no objection. Council has allowed these types of encroachments in the past.

JKC:MJP:

cc: A. Ross, City Treasurer

SCHEDULE 'A' Council Date: August 31, 1993

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
127 Strachan Street E.	Portion Building measuring 32.30 ft X 0.33 ft and Chimney measuring .75 ft X 5.75 ft Hamilton, Ontario onto Mary St. and Porch measuring 18p 1A2 19.56 ft X 0.23 ft onto Strachan St.	Kevin Hope 100 King Street W. Hamilton, Ontario L8P 1A2	\$111.00/20.00	T103-50 (1063)
204 Burris Street	Steps measuring 1.52 ft X 4.5 ft onto Burris Street	Randall E. Walker 46 Jackson Street E. Hamilton, Ontario L8N 4G3	\$111.00/20.00	T103-50 (1064)





2(F)(i)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 July 19

**REPORT TO:** Kevin Christenson, Secretary  
Transport and Environment Committee

**FROM:** P. Noé Johnson  
City Solicitor

RECEIVED

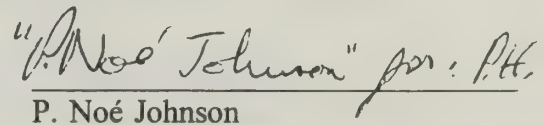
JUL 30 1993

CITY CLERKS

**SUBJECT:** Local improvements of concrete sidewalks and curbs and  
finished roadway on Forbes Street - \$47,400.00

**RECOMMENDATION:**

That City Council enact the attached By-law to authorize construction of local improvements of concrete sidewalks and curbs and finished roadway on Forbes Street from approx. 40m south of Blossom Lane to approx. 57m southerly.

  
P. Noé Johnson

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

The construction of these local improvements was approved by Council on January 12, 1993, in adopting Item 20 of the 1st Report of the Transport & Environment Committee and Item 4 of the 1st Report of the Finance & Administration Committee. Regional Council authorized the consent to issue debentures on May 18, 1993.

:sr  
Att.

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93 -**

**To Authorize:**

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalks and curbs and finished roadway on FORBES STREET from approx. 40m south of Blossom Lane to approx. 57m southerly, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Senior Director of Roads.

**WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 20 of the 1st Report of the Transport & Environment Committee on January 12, 1993;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 4 of the 1st Report of the Finance & Administration Committee on January 12, 1993;

**AND WHEREAS** it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

**AND WHEREAS** notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

**AND WHEREAS** a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

**AND WHEREAS** the Council has obtained reports, estimates and statements required for the undertaking of the said works;

**AND WHEREAS** Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

**AND WHEREAS** the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligation limit prescribed by Ontario Regulation 710/92 (in force as of January 1, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$47,400.00.
2. The share or portion of the estimated cost of the works in the amount of \$31,860.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
  - (a) to the extent sufficient to provide an amount not exceeding \$31,860.00;
  - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Senior Director of Roads is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

**PASSED** this                      day of                      , A.D. 1993.

**CITY CLERK**

**MAYOR**

(1993) 1 R.T.E.C. 20, January 12

(1993) 1 R.F.A.C. 4 , January 12



SCHEDULE "A"

The construction of concrete sidewalks and curbs and finished roadway on FORBES STREET from approx. 40m south of Blossom Lane to approx. 57m southerly at the costs not exceeding those set out below:

City's Share	\$ 15,540.00	
Owners' Share		<u>31,860.00</u>
TOTAL ESTIMATED COST		<u>\$ 47,400.00</u>
Estimated Cost per metre frontage	\$ 360.00	
Fifteen (15) annual instalments		

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**2(F)(ii)**

**DATE:** 1993 July 19

**REPORT TO:** Kevin Christenson, Secretary  
Transport and Environment Committee

**FROM:** P. Noé Johnson  
City Solicitor

**SUBJECT:** Local improvements of finished roadway on Acadia Drive  
\$111,600.00

**RECEIVED**

JUL 30 1993

CITY CLERKS

**RECOMMENDATION:**

That City Council enact the attached By-law to authorize construction of local improvements of finished roadway on Acadia Drive approx. 50m south of Butler Drive to approx. 200m southerly.

*"P. Noé Johnson" Per: P.H.*  
P. Noé Johnson

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

The construction of these local improvements was approved by Council on May 11, 1993, in adopting Item 24 of the 6th Report of the Transport & Environment Committee and Item 8 of the 11th Report of the Finance & Administration Committee. Regional Council authorized the consent to issue debentures on June 15, 1993.

:sr  
Att.

No.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93 -

To Authorize:

1. The construction of local improvements of a finished roadway on ACADIA DRIVE approx. 50m south of Butler Drive to approx. 200m southerly, as described in Schedule "A";
2. The special assessment to pay a portion of the cost upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 24 of the 6th Report of the Transport & Environment Committee and Item 8 of the 11th Report of the Finance & Administration Committee on May 11, 1993;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

AND WHEREAS the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligation limit prescribed by Ontario Regulation 710/92 (in force as of January 1, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$111,600.00.



2. The share or portion of the estimated cost of the works in the amount of \$88,800.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
  - (a) to the extent sufficient to provide an amount not exceeding \$88,800.00; and,
  - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation/Environmental Services is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this                      day of                      , A.D. 1993.

CITY CLERK

MAYOR

(1993) 6 R.T.E.C. 24, May 11  
 (1993) 11 R.F.A.C. 8, May 11

SCHEDULE 'A'

The Construction of a finished roadway on ACADIA DRIVE approx. 50m south of Butler Drive to approx. 200m southerly and the cost not exceeding those set out below:

City's Share	\$ 22,800.00
Owners' Share	<u>88,800.00</u>
Total Estimated cost	<u>\$111,600.00</u>

Estimated Cost per metre frontage \$ 222.00

Fifteen (15) annual instalments

2(F)(iii)

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 July 23

**REPORT TO:** Kevin Christenson, Secretary  
Transport and Environment Committee

**FROM:** P. Noé Johnson  
City Solicitor

RECEIVED

JUL 30 1993

**SUBJECT:** Local improvements of concrete sidewalks on Upper Wellington Street - \$25,300.00

CITY CLERKS

**RECOMMENDATION:**

That City Council enact the attached By-law to authorize construction of local improvements of concrete sidewalks on the west side of Upper Wellington Street from Bryna Avenue to the north limits of the East-West Freeway.

*"P. Noé Johnson" per: P.H.*  
P. Noé Johnson

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

The construction of these local improvements was approved by Council on May 11, 1993, in adopting Item 23 of the 6th Report of the Transport & Environment Committee and Item 9 of the 11th Report of the Finance & Administration Committee. Regional Council authorized the consent to issue debentures on July 20, 1993.

:sr

Att.



**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93 -**

**To Authorize:**

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalks on the west side of UPPER WELLINGTON STREET from Bryna Avenue to the north limit of the East-West Freeway, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

**WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 23 of the 6th Report of the Transport & Environment Committee on May 11, 1993;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 9 of the 11th Report of the Finance & Administration Committee on May 11, 1993;

**AND WHEREAS** it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

**AND WHEREAS** notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

**AND WHEREAS** a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

**AND WHEREAS** the Council has obtained reports, estimates and statements required for the undertaking of the said works;

**AND WHEREAS** Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

**AND WHEREAS** the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligation limit prescribed by Ontario Regulation 710/92 (in force as of January 1, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$25,300.00.
2. The share or portion of the estimated cost of the works in the amount of \$18,156.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
  - (a) to the extent sufficient to provide an amount not exceeding \$18,156.00;
  - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation/Environmental Services is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

**PASSED** this                      day of                      , A.D. 1993.

**CITY CLERK**

**MAYOR**

SCHEDULE "A"

The construction of concrete sidewalks on the west side of UPPER WELLINGTON STREET from Bryna Avenue to the north limit of the East-West Freeway at the costs not exceeding those set out below:

City's Share	\$ 7,144.00
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Owners' Share	<u>18,156.00</u>
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TOTAL ESTIMATED COST	<u>\$ 25,300.00</u>
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Estimated Cost per metre frontage	\$ 89.00
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Fifteen (15) annual instalments



2(4)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 16

**REPORT TO:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** T. Bradley  
Manager of Purchasing

RECEIVED

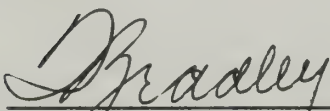
AUG 16 1993

**SUBJECT:** Supply and delivery of Automotive Brake Parts during  
1993 and 1994, Public Works Department

CITY CLERKS

**RECOMMENDATION:**

That a purchase order be issued to Industrial Brake, Hamilton, for the supply and delivery of Automotive Brake Parts for medium and heavy duty vehicles over 15,000 lb. GVW as and when required during 1993 and 1994 by the Public Works Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be funded through Parts Account CH 56702 64105.

  
\_\_\_\_\_  
T. Bradley, Manager of Purchasing

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Estimated yearly expenditure is \$85,000.

**BACKGROUND:**

Following is an example of how analysis was completed for brake parts required on equipment using vendors' discount structure per attached.

	<u>Barton Auto Parts</u>	<u>Bartlett Provincial</u>	<u>Industrial Brake</u>
1991 International Single Axle w/16 1/2 x 7 rr air brakes	Incomplete bid	\$386.23	\$373.84
1988 18000 15 x 4 front brakes w/16 1/2 x 7 rr Bendix brakes	Incomplete bid	965.32	879.11

See analysis attached.

AUTOMOTIVE BRAKE PART ANALYSIS FOR EQUIPMENT OVER 15,000 LBS G.V.W.

DESCRIPTION <i>Equipment over 15,000 GVW</i>	BARTON AUTO PARTS	INDUSTRIAL BRAKE	BARTLETT-PROVINCIAL
BRAKE DRUMS-HYD	RAYBESTOS/UNITED -30%	KELSEY/DALTON +15%	DAYTON -NET
BRAKE HARDWARE	RAYBESTOS/UNITED -30%	INDUSTRIAL -NET	WAGNER -10%
BRAKE SHOES	ETNA -30%, MINTEX -25%	INDUSTRIAL -NET	EUCLID -55%
NEW MASTER CYLINDERS	RAYBESTOS/UNITED -18%	WAGNER -12%	WAGNER -10%
HYDRAULIC FLEX HOSES	RAYBESTOS/UNITED -18%	WAGNER -12%	WAGNER -10%
NEW WHEEL CYLINDERS	RAYBESTOS/UNITED -18%	WAGNER -12%	WAGNER -10%
BRAKE BOOSTERS	N/Q	INDUSTRIAL -NET	WAGNER -10%
RELINED BRAKE SHOES	N/Q	INDUSTRIAL -NET	EUCLID/ABEX -NET
 BRAKE DRUMS - AIR	 N/Q	 KELSEY/DALTON +15%	 DAYTON -NET
REBUILT AIR BRAKE VALVES	N/Q	BENDIX +15%	* BENDIX -50%
SLACK ADJUSTERS	N/Q	MIDLAND -NET	MIDLAND -NET
REBUILT AIR COMPRESSORS	N/Q	BENDIX +15%	* BENDIX -50%
CAMSHAFTS	N/Q	EUCLID -60%	EUCLID -55%
AIR BRAKE HOSES	N/Q	TECTRAN -NET	* TECTRAN -50%
BRAKE HARDWARE	N/Q	INDUSTRIAL -NET	EUCLID -55%
BRAKE SHOES	N/Q	INDUSTRIAL -NET	EUCLID -55%
"Q" BRAKE SHOE KITS	N/Q	INDUSTRIAL -NET	EUCLID -55%
	all discounts off jobber	all discounts off jobber	*discount off dealer balance off jobber

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

2(H)

**DATE:** 1993 August 16

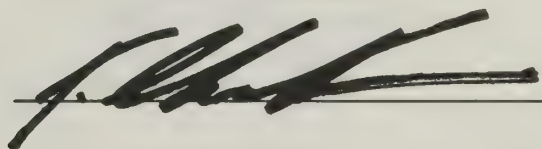
**REPORT TO:** Chairman and Members  
Transport and Environment Committee

**FROM:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**SUBJECT:** Information Reports

**RECOMMENDATION:**

That the attached list of Information Reports previously distributed to the Transport and Environment Committee, be received.

  
A handwritten signature in black ink, appearing to be 'J. Christenson', is written over a horizontal line.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A**

**BACKGROUND:**

Attachment





**REPORTS**  
**TRANSPORTATION AND ENVIRONMENT**  
**COMMITTEE**

<b>Date</b>	<b>From</b>	<b>Subject</b>	<b>Date</b>
1993 July 7	Murray Main, Director Traffic Services and John Johnston, Commissioner Human Resources	Organizational Restructuring Traffic Operations Division Traffic Signal Section	1993 July 15
1993 July 5	Ted Gill, Senior Director Roads Department	PaRCIL PROJECT Quarterly Report March 30, 1993	1993 July 16
1993 July 20	CP Rail System, Toronto	Notice of Swedish X2000 Passenger Train Demonstration Over CP Rail Lines	1993 July 26
1993 July 26	CP Rail Systems	Work - CP Rail Systems CP Railway Right-of-Way Canada Street and Hunter Street between Queen Street and Richmond Street	1993 August 4

Kevin C. Christenson, Secretary  
1993 August 23





3(a)

CITY OF HAMILTON

-RECOMMENDATION-

**DATE:** 1993 August 11  
E308-02C C. Rodgerson

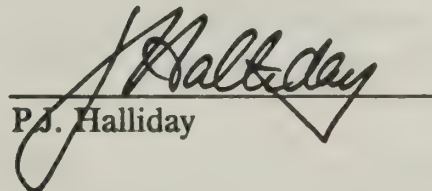
**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** P.J. Halliday, Senior Director  
Environmental Services Department

**SUBJECT:** Decontamination of PCBs by Sanexen Environmental Services Inc for  
Laidlaw, Hamilton, Ontario

**RECOMMENDATION:**

- (a) That the West Central Branch of the Ministry of the Environment be advised that the City of Hamilton has no objection to Sanexen Environmental Services Inc. carrying out the proposed PCB chemical destruction for Laidlaw at 470 Kenora Avenue North, Hamilton, Ontario;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the MOEE be waived so that the proposed work referred to in recommendation a) can be carried out as scheduled;
- (c) That no specific Municipal or Regional permits are required for the proposed work referred to in recommendation a).

  
P.J. Halliday

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

Cont'd...

**Decontamination of PCBs by Sanexen Environmental Services Inc  
for Laidlaw, Hamilton, Ontario**

**BACKGROUND:**

The West Central Office of the Ministry of the Environment and Energy (MOEE) has received an application from Sanexen Environmental Services Inc. for a Certificate of Approval to operate a Class 2 Mobile Destruction Site for Laidlaw Technologies Inc at 470 Kenora Avenue North, Hamilton, Ontario. The MOEE has asked the City of Hamilton for comments on this application with respect to any specific municipal requirements or concerns.

Laidlaw has hired Sanexen to carry out on-site chemical decontamination of 810 gallons of PCB contaminated mineral oil. The waste oil is stored in one holding tank where the concentrations of PCBs were tested at 400 ppm. The contaminated oil contained within the tank will be processed to less than 50 ppm PCB.

The PCB destruction technology and procedures to be used by Sanexen at the Laidlaw site has been fully approved by the Ministry, Approval No. A-840571.

All processed oil will be disposed of off-site through Sanexen's sub-contractor. All waste generated will be sampled and analyzed for PCB levels by the mobile lab on site before any waste is removed from the site. This will ensure that all waste will meet Ontario Regulation 362 criteria, that is, it will contain less than 50 ppm before its removal from the site.

No specific Municipal or Regional permits are required for the work proposed by Sanexen Environmental Ltd. as the work will be carried out entirely at 470 Kenora Ave which is zoned industrial and well removed from any residential dwellings.

Under regulation 352 (formerly Reg. 148/86) the Ministry is required to notify the municipality of issuance of the Certificate of Approval a minimum of 30 days prior to the date for which operations at the site have been authorized to commence. The City of Hamilton may waive this 30 day notification period if it considers the letter requesting the confirmation of compliance with municipal requirements to be sufficient notice of the proposed work.

According to Sanexen's proposal the estimated duration of the operation will be one week. The proposed work was to commence on August 15, 1993; however, the work will not commence until approval has been issued by the MOEE. Sanexen's proposal is to lengthy to append to this report, but may be attained through the Waste Management Division, Industrial Waste Files.

3(b)

CITY OF HAMILTON  
-RECOMMENDATION-

**DATE:** 1993 August 11  
E308-02C C. Rodgerson

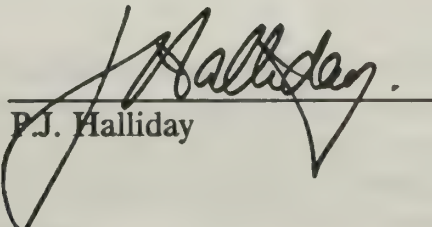
**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** P.J. Halliday, Senior Director  
Environmental Services Department

**SUBJECT:** Decontamination of PCBs by TASSCO for J.I. Case Company

**RECOMMENDATION:**

- (a) That the West Central Branch of the Ministry of the Environment and Energy be advised that the City of Hamilton has no objection to TASSCO carrying out the proposed PCB chemical destruction for J.I. Case at 450 Sherman Avenue, North, Hamilton, Ontario;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the MOEE be waived so that the proposed work referred to in recommendation a) can be carried out as scheduled;
- (c) That no specific Municipal or Regional permits are required for the proposed work referred to in recommendation a).

  
P.J. Halliday

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

Cont'd...



## Decontamination of PCBs by TASSCO for J.I. Case Company

### **BACKGROUND:**

The West Central Office of the Ministry of the Environment and Energy (MOEE) has received an application from TASSCO (Transformer and Switchgear Services Company Limited) for a Certificate of Approval to operate a Class 2 Mobile Destruction Site for J.I. Case Company at 450 Sherman Avenue North, Hamilton, Ontario. The MOEE has asked the City of Hamilton for comments on this application with respect to any specific municipal requirements or concerns.

J.I. Case has hired TASSCO to carry out on-site chemical decontamination of 5500 litres of mineral oil dielectric fluid. The waste oil is stored in an underground storage tank where the concentrations of PCBs were tested at 180 ppm. The contaminated oil contained within the tank will be processed to less than 50 ppm PCB.

The PCB destruction technology and procedures to be used by TASSCO at the J.I. Case site has been fully approved by the Ministry, Approval No. A-841089. All processed oil will be disposed of off-site through TASSCO's sub-contractor.

No specific Municipal or Regional permits are required for the work proposed by TASSCO Environmental Ltd. as the work will be carried out entirely on J.I. Case's property at 450 Sherman Avenue North, which is zoned industrial.

Under regulation 352 (formerly Reg. 148/86) the Ministry is required to notify the municipality of issuance of the Certificate of Approval a minimum of 30 days prior to the date for which operations at the site have been authorized to commence. The City of Hamilton may waive this 30 day notification period if it considers the letter requesting the confirmation of compliance with municipal requirements to be sufficient notice of the proposed work.

According to TASSCO's proposal the estimated duration of the operation will be one week. The proposed work is scheduled to commence on September 15, 1993; however, the work will not commence until approval has been issued by the MOEE. TASSCO's proposal is too lengthy to append to this report, but may be attained through the Waste Management Division, Industrial Waste Files.

**CITY CLERK'S DEPARTMENT**

**MEMORANDUM**

4.

\*\*\*\*\*

**TO:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**YOUR FILE:**

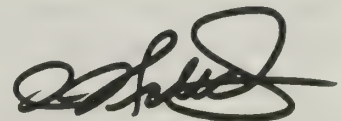
**FROM:** J. J. Schatz  
City Clerk

**OUR FILE:**  
**PHONE:** 546-2727

**SUBJECT:** School Crossing Guard Service -  
Intersection of Barton Street East and Nash Road

**DATE:** 1993 May 17

Sub-joined for your information and action is a copy of Section 12 of the Sixth Report of the Transport and Environment Committee for 1993 which was referred back by City Council at its meeting held 1993 May 11.



JJS:mjw

"That the School Crossing Guard service be discontinued during the lunch hour period at the signalized intersection of Barton Street East and Nash Road."

200-007

**CITY OF HAMILTON**

**- RECOMMENDATION -**

**DATE:** 1993 March 15

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** Mr. M. F. Main, P. Eng.  
Director of Traffic Services

RECEIVED  
CITY CLERKS

**SUBJECT:**

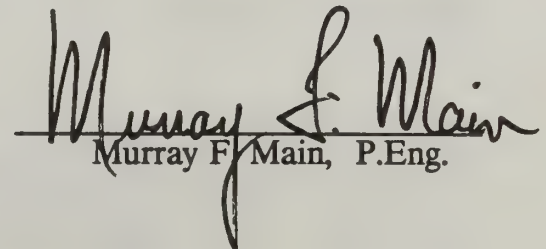
Barton Street East and Nash Road - School Crossing Guard. [TEC-60-93]

**RECOMMENDATION:**

That the School Crossing Guard service be discontinued during the lunch hour period at the signalized intersection of Barton Street East and Nash Road.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The reduction in hours of this school crossing location will result in a savings of approximately \$2,200.00 per year. The current School Crossing Guard at this location has requested relocation to a crossing which does not involve duty times at the lunch hour and therefore, agrees with the reduced hours of work.

  
Murray F. Main, P.Eng.


**BACKGROUND:**

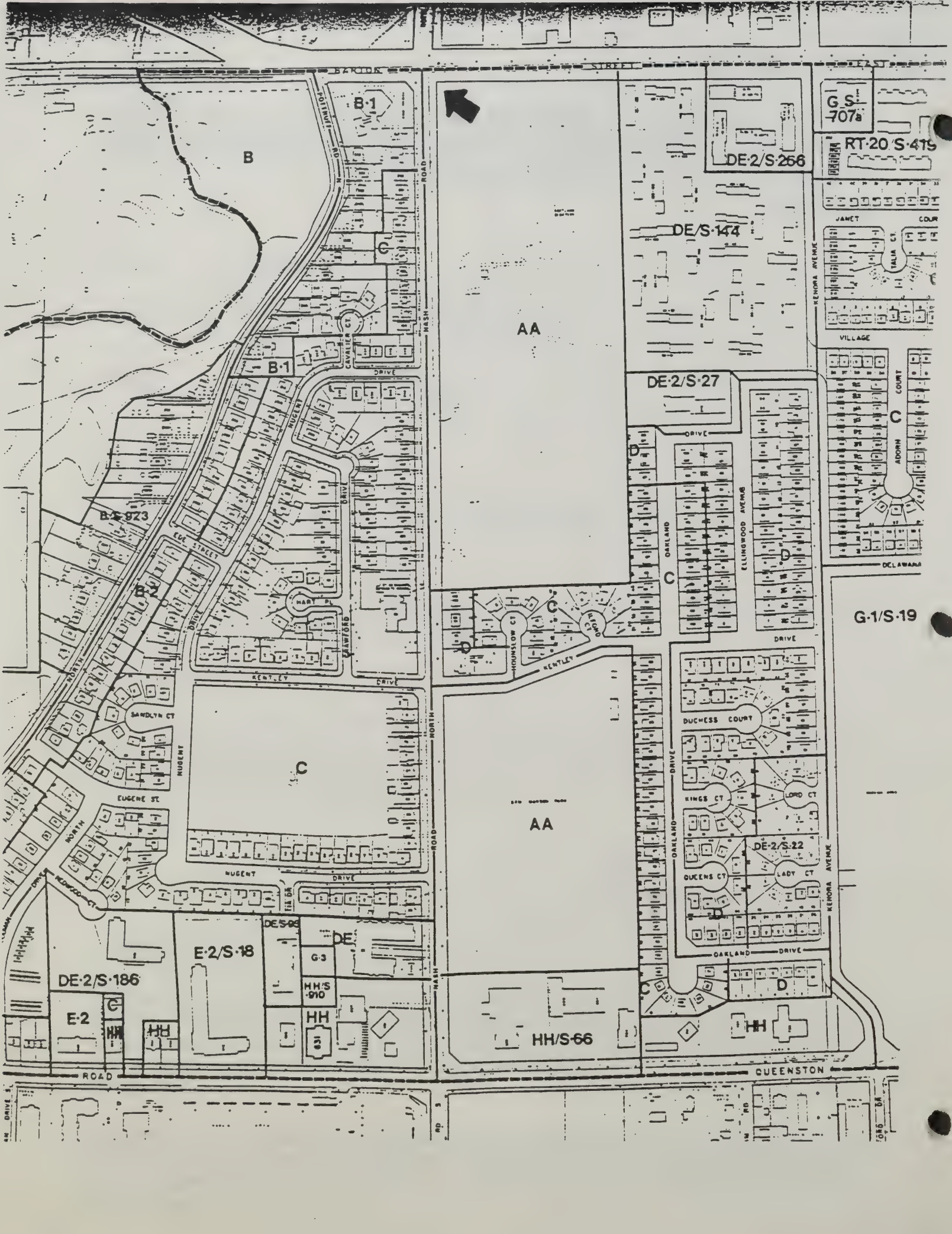
Routine observations by the Traffic Department have identified that no children cross with the School Crossing Guard at Barton Street East and Nash Road during the lunch periods. These observations have been discussed with the individual who works at the location and she has confirmed that no children cross with her assistance during the lunch hour on a regular basis.

Staff have written to Hillsdale and Hillcrest Schools whom have children using this crossing. The Principals acknowledge that they have no children using this crossing during the lunch hour and have no objection to removing the School Crossing Guard during the lunch hour crossing period.



As a result of observations by staff and comments from the School Crossing Guard and effected schools, the Traffic Department recommends that the crossing times be changed to eliminate the lunch hour periods.

  
TA/MH/ks



G-1/S-707

RT-20 S-419

DE-2/S-266

DE/S-144

AA

DE-2/S-27

G-1/S-19

AA

E-2/S-18

DE-2/S-186

G-3

HH/S-910

HH

HH/S-66

HH

QUEENSTON

CHAIRMAN:  
ALDERMAN VINCE AGRO

MEMBERS:  
ALDERMAN DOMINIC AGOSTINO  
ALDERMAN FRANK D'AMICO



**THE PARKING AUTHORITY  
OF THE CITY OF HAMILTON**

5.

80 MAIN STREET WEST, HAMILTON, ONTARIO L8P 1H6

RECOMMENDATION

DATE: August 16, 1993

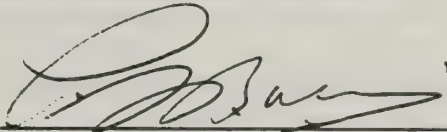
REPORT TO: Kevin Christenson, Secretary  
Transport and Environment Committee

FROM: Peter G. Baker, General Manager, on behalf of the Board of,  
The Parking Authority of the City of Hamilton

SUBJECT: Parking Meter Rate Changes, Central Business District

RECOMMENDATION:

- (1) That, to establish consistency in meter charges, and to re-capture a portion of the Provincial Sales Tax recently imposed on all on-street meters, that City Council approve an adjustment in the on-street meters in the Central Business District (Barton to Herkimer and Wellington to Queen) to a single rate of \$.50 per half hour (inclusive of PST and GST) and,
- (2) That City Traffic By-law 89-72 be amended accordingly.

  
\_\_\_\_\_  
Peter G. Baker, General Manager

FINANCIAL IMPLICATION: The effect of changing this rate (which affects 305 out of 674 meters) is to re-capture approximately \$60,000 of the Provincial Sales tax charge which was implemented on July 1, 1993. The total extra PST charge will amount to \$80,000 for all of the on-street meters. The overall extra PST for all parking rates (including carparks) is \$350,000 per annum. All off-street parking facility rates have been adjusted to compensate for the tax.



The Parking Authority did not recommend increasing rates at the time of the GST implementation and has therefore absorbed approximately \$70,000 per annum from this tax alone since that time.

Since only the CBD area of the City has had inconsistency in meter charges, it is not being recommended that any on-street meter changes be made elsewhere in the City.

The cost of the conversion amounts to \$3,100 for parts alone.

#### BACKGROUND:

(1) A report proposing these changes was discussed and received at the Finance and Administration Committee meeting of June 24, 1993.

#### DISCUSSION:

(1) The Board of the Parking Authority approved this action at its meeting of June 17, 1993.

(2) The Provincial Government has created this issue within Municipalities across Ontario. The normal procedure would be for the Parking Authority to include such changes in its operating budget; but regrettably neither the Parking Authority nor the City had any indication that such sales tax changes were being contemplated until the budget was brought down in the Spring.

(3) In the future the Parking Authority intends to gradually convert to an electronic meter programme which will permit small changes in times and rates (and allow for Holidays, different rates at certain times of the day or week, etc). This programme is on the verge of beginning in Hamilton and has only been delayed by the slow development of this type of meter by the industry. The Authority is presently experimenting with several makes of electronic meters. The meter presently used is a mechanical device which has been unchanged for many years; and this type of meter is very difficult to convert to convenient changes such as a sales tax increase.

(4) A survey of other Cities in Ontario shows the following comparisons with Hamilton at \$1.00 per hour:

London:	\$1.10 per hour
Windsor:	\$ .75 per hour
Oakville:	\$1.00 per hour
Toronto:	\$2.20 per hour
Ottawa:	\$1.00 per hour

(5) An area map showing the locations of the subject parking meters will be shown at the meeting.



CITY COUNCIL  
HAMILTON, CANADA

Alde

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 528-2009 - WARD 2

6.

11 August 1993

Mr. K. Christenson, Secretary  
Transport & Environment Committee

Dear Mr. Christenson:

RE: QUEEN ST. S. & ABERDEEN - PROPOSED NORTHBOUND RIGHT TURN PROHIBITION

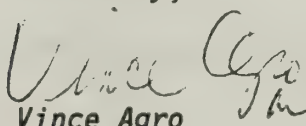
Attached is copies of correspondence with respect to the above.

I wish to discuss with the Committee the reduction of traffic on Aberdeen between Queen and Bay Streets by

- (a) prohibiting left turns for vehicles travelling north on Queen during rush hours and
- (b) encouraging vehicles travelling eastward on Aberdeen to turn left (north on Queen).

Could you please place this matter on the agenda of the September meeting of the Transport & Environment Committee.

Sincerely,

  
Vince Agro  
Alderman, Ward 2

VJA:sn

Attch.

c.c. Mrs. Elizabeth Kay, 156 Aberdeen Ave., Hamilton, L8P 2P6



CITY COUNCIL  
HAMILTON, CANADA

**Alderman Vince Agro**

---

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 528-2009 - WARD 2

11 August 1993

Mr. E. M. Gill  
Senior Director  
Roads Department

Dear Mr. Gill:

**RE: QUEEN ST. S. & ABERDEEN - PROPOSED NORTHBOUND RIGHT TURN PROHIBITION**

With respect to Mr. Main's letter of July 29 regarding the above, please provide me with the mentioned status report on this matter as soon as possible as I will be taking this issue before the Transport & Environment Committee for discussion.

Thank you for your cooperation in this important matter.

Yours sincerely,

Vince Agro  
Alderman, Ward 2

VJA:sn

c.c. Mrs. Elizabeth Kay, 156 Aberdeen Ave., Hamilton, L8P 2P6





## TRAFFIC DEPARTMENT

City of  
HAMILTON

71 Main Street West, Hamilton, Ontario, L8N 3T4  
Tel. (416) 546-4510 / Fax (416) 546-2419

Your File: Mrs. Elizabeth Kay, 156 Aberdeen Avenue

1993 July 29

Alderman V. Agro  
Alderman, Ward 2  
Aldermen's Office  
City of Hamilton

*place on agenda of  
next T & E committee!  
Signed by me  
Aug. 10/93*

Dear Alderman Agro:

Re: Intersection of Queen Street South and Aberdeen Avenue -  
Proposed Northbound Right Turn Prohibition

Thank you for your letter dated 1993 July 23, in which you requested an update on the proposed northbound right turn prohibition from Queen onto Aberdeen. We have reviewed this matter, and have the following report.

The record indicates as follows:

- 1990 July 9      - The Regional Transportation Services Committee did not approve a recommendation of the Traffic Department that northbound motorists on Queen be prohibited from turning right onto Aberdeen at all times.
- 1990 December 3      - The Transport and Environment Committee requested various studies in the Durand Neighbourhood which were to include "potential impacts of a northbound right turn prohibition at the intersection of Aberdeen and Queen Streets".
- 1991 October 8      - The City Council approved a recommendation of the Transport and Environment Committee that "the City Council request the Regional Council to prohibit northbound right turns from Queen Street to Aberdeen Avenue between the hours of 7:00 a.m. and 9:00 a.m. Monday to Friday".

- 1992 January 27 - The Transportation Services Committee tabled a recommendation to prohibit northbound right turns from Queen onto Aberdeen during the morning rush hour and the Regional Commissioner of Transportation/Environmental Services was requested to organize meetings with the pedestrian safety group and representatives of the affected neighbourhoods, and to report back to the Committee.

By copy of this letter, we will ask the Regional Roads Department to inform you of the current status of this matter.

We trust that this information will be of assistance.

Yours truly,

  
Murray F. Main, P. Eng.  
Director of Traffic Services

MH  
MH/ca

cc: Mr. E.M. Gill  
Senior Director - Roads Department

COPY TO MRS. KAY FROM ALDERMAN VINCE AGRO

DEPARTMENT OF PUBLIC TRANSIT  
(The Hamilton Street Railway Company)

MEMORANDUM

TO: Councillor V. Agro  
Alderman, Ward 2

FROM: W.B. O'Brien  
Director of Transportation Services

PHONE: 528-4200 x210

RE: Intersection of Queen Street  
and Aberdeen Avenue

DATE: August 12, 1993

Mr. Main's letter to you of 29 July 1993 on the above subject was forwarded to me with a request to advise you on how this issue would be addressed through the Regional Transportation Review. The Consultants carrying out this study have prepared a preliminary Concept Plan which was recently provided to the Transportation Services Committee.

I have attached a copy of their draft report for your information. This was a very general overview of issues and future directions.

We are now organizing the work plan to undertake more detailed investigations on specific issues, including a strategy for managing traffic flows around the central downtown residential areas. As this work progresses, there will be discussions with special interest groups to address concerns such as the Queen Street and Aberdeen Avenue intersection. I would anticipate that this will take place by the end of the year.

Please contact me if I can provide further information on this.

WBO/cb  
Att.

cc. L.D. Turvey  
E.M. Gill  
M.F. Main

FILE					
REC'D AUG 16 1993					
To	Initials	Info.	Act	R	
M.F.M.	<i>[Signature]</i>				
H.L.S.					
R.W.K.					
M.B.H.	<i>MH</i>	✓			
R.W.H.					
W.L.D.					
G.J.M.					
G.J.F.					
R.J.W.					
E.R.A.					







CITY COUNCIL  
HAMILTON, CANADA

7.  
**Alderman Don Ross**  
Chairman - Economic De  
Chairman - Finance & Administration

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES: (416) 387-1842 - Ward 8

August 9, 1993.

RECEIVED

AUG 16 1993

CITY CLERKS

TO: Kevin Christenson,  
Secretary,  
Transport and Environment Committee.

FROM: Don Ross,  
Alderman, Ward 8.

SUBJECT: PETITION - REQUESTING PLACEMENT OF STOP SIGNS AT  
CRANBROOK DRIVE AND STANLOW CRESCENT ... AND CRANBROOK  
DRIVE AND GREENSHIRE DRIVE.

Attached is a copy of a Petition requesting the placement of a Stop Sign at the following locations:

- 1) Cranbrook Drive and Stanlow Crescent
- 2) Cranbrook Drive and Greenshire Drive

Could you please have the above placed on the Agenda of the next Transport and Environment Committee Meeting.

Thanks.

Don Ross,  
Alderman, Ward 8.

DR:dd

Attach.

c.c. Henry Merling - Chairman - Transport & Environment Committee;  
Murray Main - Director of Traffic Services;  
Frank D'Amico - Alderman, Ward 8.  
Mr. T. Boychuk, 67 Cranbrook Drive, Hamilton, Ontario. L9C 4S5.

# PETITION

TO: Aldermen Ross and D'Amico

We the undersigned request the placement of two stop signs, both of these signs pertain to Cranbrook Drive.

#1 Cranbrook Drive and Stanlow Crescent.

#2 Cranbrook Drive and Greenshire Drive.

We challenge anyone to compare a street of this length that does not have a stop sign posted. Do we have to wait for a serious accident to happen before action is taken?

We feel that the Aldermen of this ward would not let this occur.

Thanking you in advance.

Contact person: Mr. T. Boychuk, 67 Cranbrook Drive, Hamilton, L9C-4S5

NAME

ADDRESS

<i>T. Boychuk</i>	67 CRANBROOK DR.	L9C 4
<i>Tamara Boychuk</i>	67 Cranbrook Drive	
<i>Anna Catinella</i>	63 Cranbrook Drive	L9C 4
<i>Frank Catinella</i>	63 Cranbrook Drive	
<i>AJ D'Amico</i> <small>ADRIAN DANIELA</small>	71 ...	L9C 4S
<i>D. McHugh</i> <small>DAVID RUTHAN</small>	69 CRANBROOK DR.	L9C 4
<i>K. McHugh</i> <small>McGUIGAN</small>	69 CRANBROOK DR.	
<i>A. Campbell</i> <small>MR. ALVARDO CAMPBELL</small>	79 CRANBROOK DR. Hazelton	L9C 4S
<i>D. Mac Gillivray</i>	7 Lantana Crt	L9C 4
<i>J. Mac Gillivray</i>	7 Lantana Crt	
<i>M. Acciaroli</i> <small>MYRA ACCIAROLI</small>	78 Cranbrook Dr.	L9C 4S
<i>M. Mac Gillivray</i> <small>MRS. MARY MAC GILLIVRAY</small>	7 Lantana Crt	L9C 4S
<i>T. Acciaroli</i> <small>PHILIP ACCIAROLI</small>	78 Cranbrook Dr.	L9C 4S
<i>Jim Johnston</i> <small>TIM JOHNSTON</small>	83 Cranbrook Dr.	L9C 4S
<i>T. Russell</i> <small>PEGGY ANSTON</small>	85 Cranbrook Dr.	L9C 4
<i>Mrs. Mary Mac</i>	88 CRANBROOK DR.	L9C 4S
<i>Paul Smith</i> <small>PAUL SMITH</small>	89 CRANBROOK DR.	L9C 4S
<i>Paul Vandenberg</i> <small>PAUL VANDENBERG</small>	68 CRANBROOK DR.	L9C 4S
<i>NORMAN J. BROWN</i>	73 CRANBROOK DR.	L9C 4S
<i>George Wicks Hines</i>	77 Cranbrook Dr.	L9C 4S
<i>Deanna De Scham</i> <small>DEANNA DE SCHAM</small>	81 Cranbrook Dr.	L9C 4S
<i>Phyllis McQuinn</i>	97 CRANBROOK DR.	L9C 4S
<i>Linda Hinson</i>	79 Cranbrook Dr.	L9C 4S



NAME	ADDRESS	
John Tello <sup>JOHN TELLO</sup>	103 Cranbrook Drive	L9C 4.
Michael Percefull <sup>MICHAEL PERCEFULL</sup>	105 Cranbrook Dr	L9C 4.
Wayne Ayde	55 STANLOW CRES	L9C 4.
Michael D. Doreil <sup>MARKEUS DOREIL</sup>	106 Cranbrook Dr	L9C 4
Jeffery Cara <sup>JEFFERY CARA</sup>	93 Cranbrook Drive	L9C 4
Carol Mulvey <sup>MULVEY</sup>	93 Cranbrook Drive	
Charles Ames	111 Cranbrook Drive	L9C 4
Ken ARMES	111 Cranbrook Dr	
Carmina Arcas <sup>CARMINA ARCAS</sup>	121 CRANBROOK DR	L9C 4
Cristida Rodriguez	121 CRANBROOK DR	
Key Arcas <sup>KEY ARCAS</sup>	121 CRANBROOK DR	
Bill Gibson	127 CRANBROOK DR	L9C 4S
Gloria Garvin	134 CRANBROOK DR	L9C 4.
Jim Garvin	134 " " "	
Paul Jamieson	138 CRANBROOK DR	L9C 4.
Harold Jamieson	" " "	
Sandra Browne	123 Cranbrook Dr.	L9C 4S
Cord Browne	123 Cranbrook Dr.	
Jan Lowthor	129 Cranbrook Dr.	L9C 4S.
Barry Lowther	129 CRANBROOK DR	
Brian Wiseman <sup>BRIAN WISEMAN</sup>	133 CRANBROOK DR.	L9C 4S.
Denise Richardson	135 Cranbrook Dr	L9C 4.
Jerome Richardson	135 Cranbrook Dr.	
Susan Flynn <sup>SUSAN FLYNN</sup>	143 Cranbrook Dr	L9C 4S5
Tom Di Prospero	141 Cranbrook Dr.	L9C 4S3
Bruna Di Prospero	141 Cranbrook - Dr.	
Mohamed Helbali	122 Cranbrook Dr.	-
James Hieson <sup>JAMES HIESON</sup>	99 Cranbrook	L9C 4S5
James Douglas <sup>JAMES DOUGLAS</sup>	11 Kantana - C.T.	L9C 4R
Linda Douglas	" " "	
James Tondrai <sup>JAMES TONORAI</sup>	19 Kantana C.T. -	L9C 4R5
Verda Gross <sup>VERDA GROSS</sup>	12 Kantana -	L9C 4R6
Tom Blunne <sup>TOM BLUNNE</sup>	8 Kantana Ct	L9C 4R6
Emmalie <sup>VINCENZO</sup>	59 Cranbrook DR	L9C 4S5
Emmalie <sup>EMMALIE</sup>	59 CRANBROOK	
Lidia Inconetti <sup>LIDIA INCONETTI</sup>	3. P. Inconetti -	L9C 7C7
Valdy	48 Cranbrook Dr.	L9C 7C5

## NAME

## ADDRESS

Skinner, Irving -	44 Cranbrook Drive	L9C 7C5
Steve Swing	44 Cranbrook Drive	
Jacob Telles	40 Cranbrook Drive	L9C 7C5
Angela Telles	40 Cranbrook Dr.	
Lucio Rillo	23 Cranbrook Dr.	L9C 551
Benito Rillo	20 Cranbrook Dr.	L9C 7C5
Angelo Salvarice	4 Cranbrook Dr.	L9C 455
Salvatore Salvarice	19 Cranbrook Dr.	
Francis Salvarice	27 Cranbrook Dr.	L9C 7C3
Francis Salvarice	27 Cranbrook Dr.	
Susana Costa	35 Cranbrook Dr.	L9C 7C3
Diana Costa	35 Cranbrook Dr.	
Gilbert Carrero	43 Cranbrook Dr.	L9C 7C3
Carolina Carrero	43 Cranbrook Dr.	
Manuel Lima	55 Cranbrook Dr.	L9C 455
Maria Lima	11 Greenshire Dr.	L9C 7G7
Armando Arcas	7 Greenshire Dr.	
Victoria Arcas	7 Greenshire Dr.	L9C 7G7
Renee Arcas	7 Greenshire Dr.	
Riley Arcas	7 Greenshire Dr.	
Rocky Arcas	67 Cranbrook Drive	L9C 455
John Arcas	82 Cranbrook Drive	L9C 455
Hyacinth Shand	91 Cranbrook Dr.	L9C 455
Robert Webster	98 Cranbrook Dr.	L9C 458
Robert Webster	98 Cranbrook Dr.	
Robert Webster	109 Cranbrook Dr.	L9C 455
Nancy Lawrie	117 Cranbrook Dr.	L9C 455
Aurelia Lawrie	51 Cranbrook Dr.	L9C 455
Lionel Bonassa	47 Cranbrook Dr.	L9C 7C3
Theresa Bonassa	47 Cranbrook Dr.	
Isabel Bonassa	24 Cranbrook Dr.	L9C 7C5
Ch. Bonassa	101 Cranbrook Dr.	L9C 455



**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 18

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

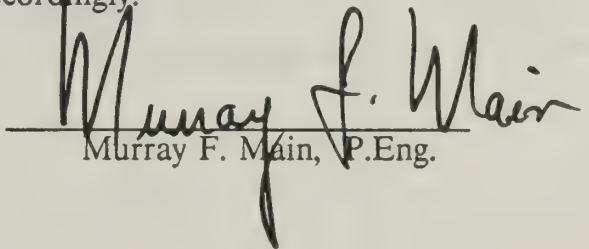
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Cranbrook Drive at Stanlow Crescent and at Greenshire Drive - Intersection Control.  
[TEC-194-93]

**RECOMMENDATION:**

- a) That three-way stop control be implemented at the intersection of Cranbrook Drive and Stanlow Crescent; and
- b) That three-way stop control not be implemented at the interseciton of Cranbrook Drive and Greenshire Drive; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are available in the 1993 Traffic Department budget estimates to cover the cost of manufacturing, erecting and maintaining additional stop signs at this location.

**BACKGROUND:**

Alderman Don Ross has forwarded a petition signed by approximately 90 area residents requesting that three-way stop control be implemented at the intersections of Cranbrook and Stanlow and Cranbrook and Greenshire because of the extremely long section of street without stop signs.



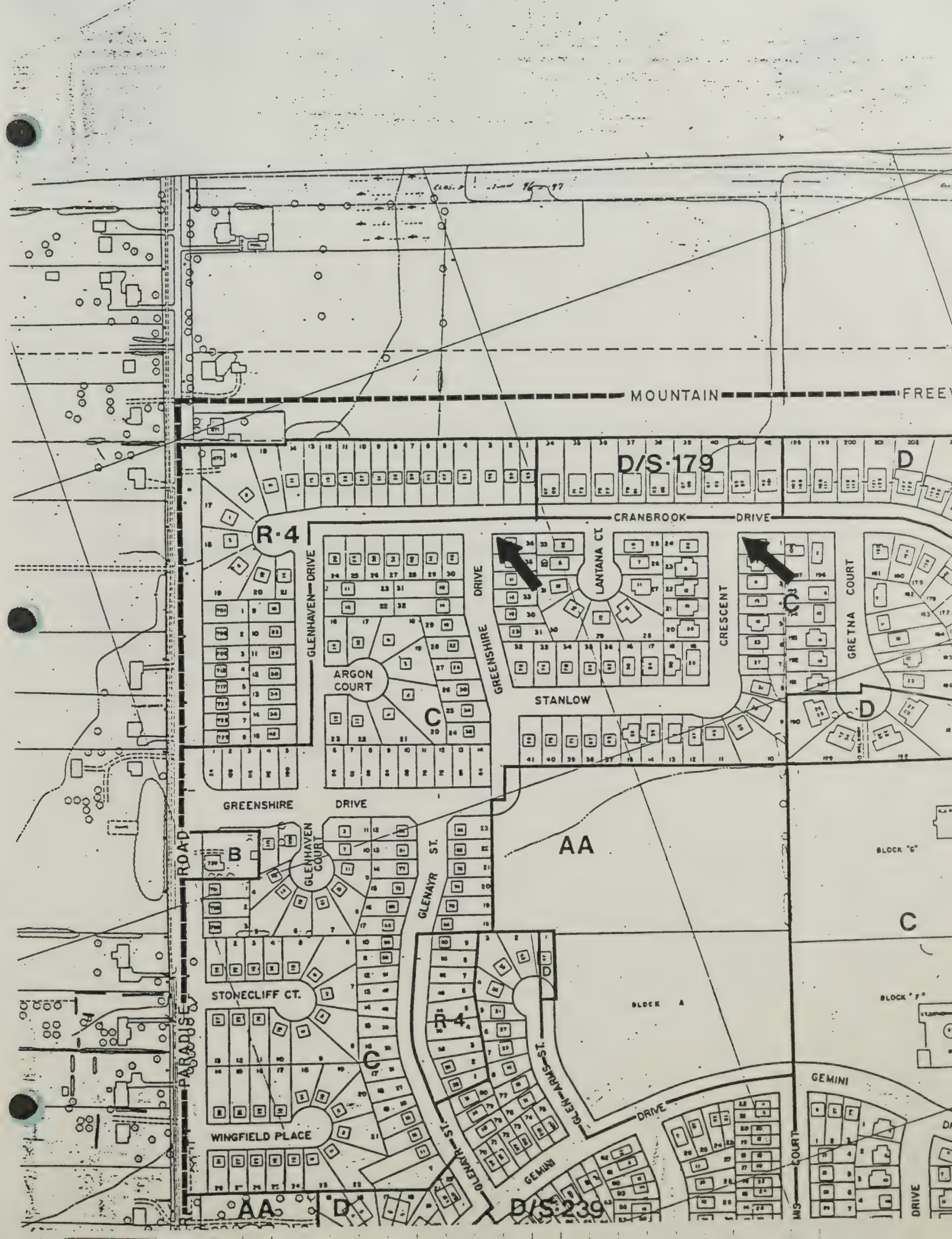
The subject intersections are both "T" type intersections and presently northbound traffic on Greenshire is required to stop for eastbound and westbound traffic on Cranbrook. Also, City Council recently approved a northbound stop on Stanlow at Cranbrook. This stop sign will be erected in the near future.

Traffic Department records indicate that there have been no reported collisions at either intersection in the past seven years. Thus, the intersections are operating extremely safely and the implementation of all-way stop control at these two intersections could not improve upon these perfect collision records.

The Traffic Department has assessed this request and has its usual concerns respecting unwarranted all-way stop control, including the fact that there is no collision problem at either intersection, unnecessary stop signs have extremely harmful environmental affects, stop signs have no effect on the speed or volume of traffic, and unwarranted stop signs create disrespect by the motorist to the extent that the observation of stop signs is deteriorating every year.

Notwithstanding, there is a section of approximately 2500 feet on Cranbrook without stop signs. Normally, one all-way stop would be implemented on this section of street at the neighbourhood collector street. However, because of the presence of the east-west freeway, there is no collector roadway to the north. Therefore, because of the unusual circumstances, the Traffic Department concurs with the request for one all-direction stop, and the appropriate location would be at Stanlow. The Department does not support the request for three-way stops at both Stanlow and Greenshire, since this would result in two stops on Cranbrook less than 450 feet apart which would be over restrictive and unnecessary.

CVB/MH/ca









CITY COUNCIL  
HAMILTON, CANADA

**Alderman Vince Agro**

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 528-2009 - WARD 2

21 July 1993

Memo to: *Alderman H. Merling, Chairman, Transport & Environment Committee*  
*Mr. K. Christenson, Secretary, Transport & Environment Committee*

From: *Alderman Vince Agro*

RE: 355 MACNAB STREET NORTH, BUILDING PERMIT/LANEWAY

*Could you please place this matter on the next Transport & Environment Committee agenda under the confidential portion because it deals with the confidential report of December 30, 1992 prepared by our Legal Department.*

*You will recall that we discussed this matter and you agreed to place it on the agenda.*

*Thank you for your cooperation in this important matter.*

VJA:sn



URBAN/MUNICIPAL

CA4 ON HBL A05

CSIT6

1993



THE URBAN MUNICIPAL COLLECTION  
2ND FLOOR  
HAMILTON PUBLIC LIBRARY

1993 September 15

## NOTICE OF MEETING

### TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, 1993 September 20

9:30 o'clock a.m.

Room 233, City Hall

URBAN M. C.

SEP 1993

GOVERNMENT DOCUMENTS

  
Kevin C. Christenson, Secretary  
Transport and Environment Committee

## AGENDA

1. **DELEGATION:** (9:30 o'clock a.m.)
  - (a) By-law to stop-up, close and to authorize the sale of parts of Belview Avenue, designated as Parts 2 and 3 on Plan 62R-12325
  - (b) No. 204 Chesley Street - Development Costs  
Mr. Ray Richardson

2. **CONSENT AGENDA**





3. DIRECTOR OF TRAFFIC SERVICES

- (a) Intersection of Paisley Avenue and South Oval - Intersection Control
- (b) Intersection of Brucedale Avenue East  
and East 8th Street - Intersection Control

4. DIRECTOR OF PUBLIC WORKS

Green Streets Canada -  
Municipal Tree Planting Recognition Program

5. CITY CLERK

Resolution - Town of Dundas  
Regulations respecting Waste Reduction

6. BUILDING COMMISSIONER/CITY SOLICITOR

No. 355 MacNab Street North

7. MAYOR R. M. MORROW/ALDERMAN H. MERLING/ALDERMAN V. J. AGRO

Special Signage - Murray Street (No Copy)

8. NEW BUSINESS

9. ADJOURNMENT





## Transport and Environment Committee Outstanding Items

Item No.	Items	Original Date	Action	Status
1.	Criteria and report of School Crossing Guards	1992 January 6	Director of Traffic Services	Comprehensive Report Pending
2.	Part-time Turn Prohibition James Mountain Road to Markland Street	1992 February 3	Commissioner of Transportation/ Environmental Services	Report Pending Public Meeting
3.	Intersection of Flatt Avenue and Glenside Avenue	1992 August 17	Ald. M. Kiss	Tabled
4.	Intersection of Franklin Avenue and Longwood Road North	1992 August 17	Ald. M. Kiss	Tabled
5.	Downsizing Sanitation Crews from Three Men to Two Men	1993 March 1	C.A.O. Director of Public Works Commissioner of Human Resources	Prepare Feasibility Study
6.	1 Hunter Street Disabled Parking	1993 April 5	Director of Traffic Services	Prepare Report
7.	Three-way Stop - Mount Pleasant Drive and Pearson Avenue	1993 July 19	Director of Traffic Services	Report Back in 6 months
8.	Policy requesting Boulevard Parking for One, Two and Three Family Dwellings	1993 July 19	Director of Traffic Services	Prepare Report
9.	School Crossing Guard	1993 August 23	Director of Traffic Services	Prepare Report

Kevin C. Christenson, Secretary  
1993 September 20



1(a)

CITY OF HAMILTON  
- RECOMMENDATION -

**DATE:** 1993 September 9

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

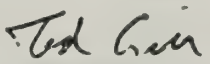
**FROM:** E. M. Gill, P.Eng.  
Senior Director  
Roads Department

**SUBJECT:**

By-Law to stop-up, close and to authorize the sale of parts of  
Belview Avenue, designated as Parts 2 and 3, on Plan 62R-12325 (R-93-73)

**RECOMMENDATION:**

- a) That the appropriate By-Law for the closure and sale of a portion of Belview Avenue, being designated as Parts 2 and 3, on Plan 62R-12325, be forwarded to City Council for enactment.
- b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Law.

  
\_\_\_\_\_  
E. M. Gill, P. Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

- a) The City Council at its meeting on 1993 July 27, adopted Items 7 and 8 of the 10th Report of the Transport and Environment Committee, which authorized the City to stop-up, close and sell part of the Public Highway being part of Belview Avenue (as established by City of Hamilton By-Law No. 1312).

Cont'd...



- page 2 -  
1993 September 9

**By-Law to stop-up, close and to authorize the sale of parts of  
Belview Avenue, designated as Parts 2 and 3, on Plan 62R-12325**

***BACKGROUND*** (Cont'd):

- b) The City Council approved the sale of the stopped and closed portions of Belview Avenue designated as
  - i) Part 2, Plan 62R-12325 to Barrelco Incorporated for the sum of \$5,000; and,
  - ii) Part 3, Plan 62R-12325 to Glendale Realty Holdings Incorporated for the sum of \$5,000.

We have advertised the Public Notice for four (4) consecutive weeks in the Hamilton Spectator as required by Section 301 of the Municipal Act. To date, no objections have been received. Therefore it is necessary to pass this By-Law in order to complete the sale.



cb:HS/KML  
Encls.

cc: Mr. F. Angelici, Planning Department  
cc: Mr. M. Watson, Property Department

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO STOP-UP, CLOSE AND AUTHORIZE THE SALE OF  
PART OF BELVIEW AVENUE DESIGNATED AS  
PARTS 2 & 3, PLAN 62R-12325

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Items 7 and 8 of the 10th Report of the Transport and Environment Committee on 1993 July 27, authorized the City to stop-up, close and sell portions of Belview Avenue, being more particularly described as Parts 2 and 3, on Plan 62R-12325;

**AND WHEREAS** The Corporation of the City of Hamilton is the owner of the above described lands;

**AND WHEREAS** Notice of the City's intention to pass this By-Law has been published as required by Section 301 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of highway described as;

Parts of Belview Avenue (as established by City of Hamilton By-Law 1312),  
designated as Parts 2 and 3, on Plan 62R-12325,

City of Hamilton

Regional Municipality of Hamilton-Wentworth

are hereby stopped and closed.

2. That subject to the easements provided for in paragraph three below,
  - a) The soil and freehold in that portion being closed described as Part 2, on Plan 62R-12325, be sold to Barrealco Incorporated for the sum of \$5,000.00 in accordance with the terms and conditions of an agreement dated 1993 June 28.
  - b) The soil and freehold in that portion being closed described as Part 3, on Plan 62R-12325, be sold to Glendale Realty Holdings Incorporated for the sum of \$5,000.00 in accordance with the terms and conditions of an agreement dated 1993 June 28.
3. That the City deed on easement over Parts 2 and 3, on Plan 62R-12325 to the Regional Municipality of Hamilton-Wentworth, Union Gas Limited and Bell Telephone Company before this sale take place.

**By-law 93-**

**To stop-up, close and authorize the sale of part of Belview Avenue  
designated as Parts 2 & 3, Plan 62R-12325**

4. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

A.D. 1993

City Clerk

Mayor





City of  
HAMILTON

BUILDING DEPA

71 Main Street West, Hamilt  
Telephone (416) 546-2721

1(b)

FILE:

Property

ATTENTION OF:

L.C. King

TELEPHONE NO:

(416) 546-4655

1993 July 28

Mr. K. Christenson  
Transport and Environment Committee  
c/o City Clerks Department

RECEIVED

JUL 30 1993

Re: 204 CHESLEY STREET

CITY CLERKS

Dear Sir:

Please find attached a copy of Mr. Richardson's letter dated July 1993.

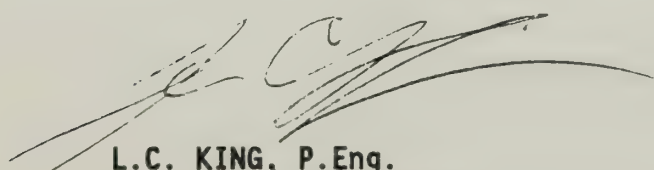
Mr. Richardson has indicated to Alderman Ross and myself that he wishes to have this matter placed on the agenda of the next Transport and Environment Committee. Mr. Richardson also indicated that based on his costs as well as the City and Regional costs involved for both servicing and development charges that it is not possible for him to proceed with severing the lots.

A copy of this letter is being forwarded to Mr. Aston in the Regional Engineering Department in order that he may draft a report to the Committee dealing with the specific servicing costs involved.

Mr. Richardson would like to appear before the Committee.

Thanking you for your assistance in this matter.

Yours truly,

  
L.C. KING, P.Eng.  
Building Commissioner

LCK\hmp

cc Alderman D. Ross

cc J. Aston, Director of Programming  
and Development, Roads Department

cc R. Richardson



1993 July

R. Richardson  
204 Chesley St  
Hamilton  
575-9864

OWNERS COSTS

Based on severance of TWO lots assuming VALUE/LOT \$60,000.00

SURVEY COST	PER 1 LOT \$ 600.00	PER 2 LOTS \$1,200.00
LAND SEVERANCE FEES	\$2,000.00	\$4,000.00
LAWYERS FEES	\$3,000.00	\$6,000.00
REAL ESTATE FEES	\$4,000.00	\$8,000.00
LAND TRANSFER TAXES	\$ 300.00	\$ 600.00
CARRYING COST LOAN	\$5,000.00 + \$700 Legal Fee	<u>\$5,700.00</u>

TOTAL \$25,500.00

CITY & REG COST \$127,196.00

TOTAL \$152,696.00  
=====

Yours truly,

R. Richardson

cc. Alderman D. Ross  
Mr. L. King, Building Commissioner  
Mr. G. S. Aston, P. Eng Dir. of Prog. & Dev.

CITY OF HAMILTON	
DEPARTMENT OF BUILDINGS	
JUL 22 1993	
REC. BY <u>JA</u>	DATE _____
REF'D TO <u>JA</u>	DATE _____
REF'D TO _____	DATE _____
REF'D TO _____	DATE _____

R. RICHARDSON  
204 CHESLEY STREET

Attached for your information is a report from the Regional Engineering Department dated February 5, 1991 and the following is a breakdown of the above noted costs.

Region charges (watermains, storm and sanitary sewers, including private drains and water service connections on Harbottle Court	Revised <u>July 13, 1992</u>	\$24,024.00
--	---------------------------------	-------------

One half of the road allowance (report attached)		\$49,000.00
--	--	-------------

City of Hamilton Above ground works on Harbottle Court (\$325/M) x 68.58 M		\$22,262.50
--	--	-------------

Development charges -- City (\$2,872.00 x 2) (\$1,723.00 x 2)	<u>Rev 3,446.40</u>	\$ 5,744.00
---	---------------------	-------------

Development charges -- Region (\$7,474.00 x 2) (\$5,252.00 x 2)	<u>Rev 10,504.00</u>	\$14,948.00
---	----------------------	-------------

5% Land Dedication Assuming \$60,000.00/lot minus development charges (\$2,480.00 x 2)		<u>\$ 4,960.00</u>
--	--	--------------------

		<u>\$134,438.00</u>
REV		<u>\$127,196.00</u>



# CITY OF HAMILTON

## - INFORMATION -

**DATE:** 1993 August 11  
S707-73, M.J. Inrig

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

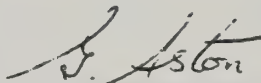
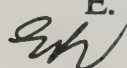
**FROM:** E. M. Gill, P. Eng.  
Senior Director  
Roads Department

**SUBJECT:** Development Costs Associated with 204 Chesley  
Street, Hamilton (R-93-62)

RECEIVED

AUG 16 1993

CITY CLERKS

per:   
E. M. Gill, P. Eng.  


### FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See attached Schedules "A" and "B".

### BACKGROUND:

In order to implement the approved road pattern for the Gourley Planning Neighborhood, the City of Hamilton purchased Lot 25, Registered Plan 947, at market value. Acquisition of Lot 25 would provide a roadway connection between Chesley Street to the east and the undeveloped interior lands to the west. However the width of Lot 25 was 2.847 metres greater than the width of a standard local road allowance.

On 1989 October 10, City Council approved a proposed draft plan of subdivision for the interior lands west of Chesley Street known as "Harbottle Estates". The plan proposed to establish an east/west road through Lot 25 to the lands of the subdivision with six lots on the north and six lots on the south side of the road. In order to provide equal lot depth, more or less, between the lots on the north and south side of the street the road allowance (Harbottle Court) was located to the most northerly limit of Lot 25. Thus a 2.847 metre strip of remnant land remained between the road allowance for Harbottle Court and the flankage of 204 Chesley Street which would provide sufficient lot depth for the severed lots at 204.

Cont'd...

**Development Costs Associated with 204 Chesley Street, Hamilton (R-93-62)**

Cont'd.....

Through the development of "Harbottle Estates - Phase 1", Harbottle Court was constructed from Chesley Street to the west limit of the subdivision. The City cost shared for one half of the above ground municipal servicing costs along the flankage of 204 Chesley Street (68.568 metres). As the developer for "Harbottle Estates - Phase 1" owned the property on the north side of Lot 25 (Harbottle Court) they paid the servicing costs on their side of the road and the City recovered land costs for one half the width of the road allowance. Under the Region's Subdivision Agreement the developer for "Harbottle Estates - Phase 1" paid the full cost of under ground servicing on Harbottle Court. Provision was made under Schedule "D-2" of the agreement (Region's "Best Efforts" Obligation) to recover the cost of under ground municipal works along the flankage of 204 Chesley Street when the lands are developed.

All cost sharing arrangements and cost recoveries for both the City and Region are in accordance with standard cost sharing policies for normal subdivision development.

Development costs for the subject property have been shown on two schedules, attached. The first schedule ("A") shows the total costs to be recovered along the full flankage (68.568m) in the event that all the lands at 204 Chesley Street were severed and developed. In this case it is assumed that the existing house would be demolished and in accordance with a "C" zoning designation the property could be severed into five lots (each 13.713 metres) under two severance applications.

The second schedule ("B") is based on Mr. Richardson's letter in which he is proposing to create two lots of 15.24 metres each fronting on Harbottle Court. In this case the existing residence remains on the retained parcel. As it is policy for both the City and Region to recover development costs only on the severed portions of a property, Schedule "B" shows the costs which pertain to the frontage (30.48m) of the two severed lots.

Once the land severance is complete, the applicant would incur the following costs at the Building Permit stage of development.

City Development Charge -	\$ 1,723.20 per lot
Regional Development Charge -	\$ 5,408.00 per lot
Cash in lieu of parkland dedication (based on lot value of \$60,000.00 each)	
5% of \$60,000.00 =	\$ 3,000.00 per lot

SCHEDULE "A"

204 CHESLEY STREET  
COST RECOVERIES  
BASED ON FULL FLANKAGE 68.568m

LAND SEVERANCE APPLICATION FEE \$ 1,400.00 (A)

CITY OF HAMILTON

Above ground servicing costs  
(roadway asphalt, sidewalks &  
curbs, street lighting, catch  
basins and connections) \$290.00/metre x 68.568metres = \$19,885.00

Land costs for one half the  
width of the road allowance  
for Harbottle Court \$49,000.00

Land cost for remnant strip  
along flankage of  
204 Chesley Street \$ 6,950.00

Sub-Total \$75,835.00 (B)

REGION OF HAMILTON-WENTWORTH

Storm & Sanitary Sewers \$11,475.00

Watermains \$ 5,654.00

5 Private Drain Connections @ \$1,728.00 each \$ 8,640.00

5 Private Water Service Connections @ \$576.00 each \$ 2,880.00

Sub Total \$28,649.00 (C)

Total A + B + C = \$105,884.00



SCHEDULE "B"

204 CHESLEY STREET  
COST RECOVERIES  
BASED ON FRONTAGE OF TWO SEVERED LOTS 30.48m

LAND SEVERANCE APPLICATION FEE \$ 700.00 (A)

CITY OF HAMILTON

Above ground servicing costs  
(roadway asphalt, sidewalks &  
curbs, street lighting, catch  
basins and connections) \$290.00/metre x 30.48metres = \$ 8,839.00

Land costs for one half the  
width of the road allowance  
for Harbottle Court \$21,781.00

Land cost for remnant strip  
along flankage of  
204 Chesley Street \$ 3,089.00

Sub-Total \$33,709.00 (B)

REGION OF HAMILTON-WENTWORTH

Storm & Sanitary Sewers \$ 5,092.00

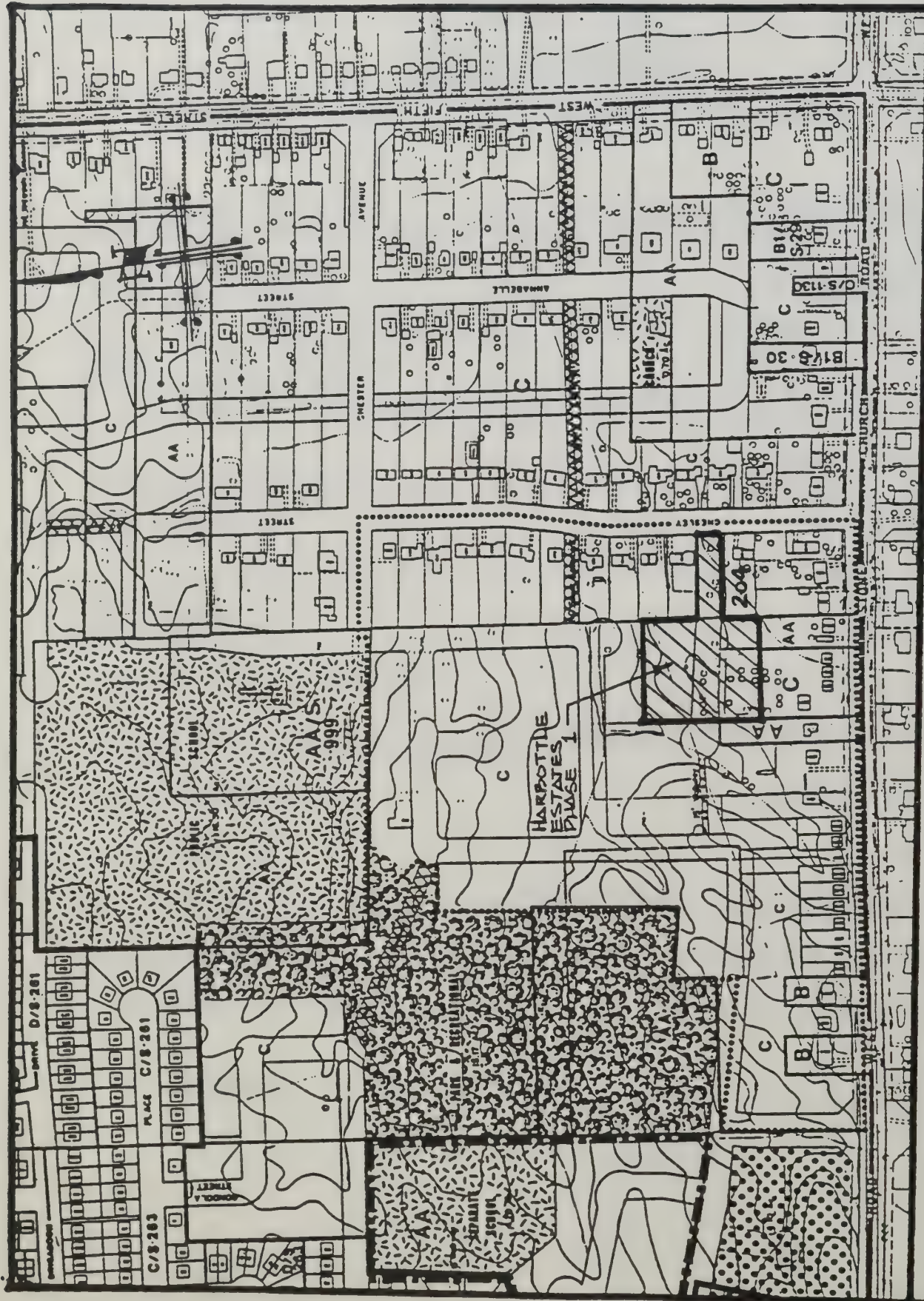
Watermains \$ 2,513.00

2 Private Drain Connections @ \$1,728.00 each \$ 3,456.00

2 Private Waterservice Connections @ \$576.00 each \$ 1,152.00

Sub Total \$12,213.00 (C)

Total A + B + C = \$46,622.00



KEY PLAN

N.T.S.

Gourley

APPROVED PLAN



**BUILDING DEPARTMENT**

71 Main Street West, Hamilton, Ontario L8N 3T4  
Telephone (416) 546-2720 / Fax (416) 546-2764



**City of  
HAMILTON**

**FILE:****ATTENTION OF:** P.C. Lampman**TELEPHONE NO:** (416) 546-4653

August 20, 1993

Alderman D. Ross  
Alderman, Ward 8  
Alderman's Office

Dear Alderman Ross:

**RE: 204 CHESLEY STREET**

Further to your request of today's date, please be advised that Mr. Richardson sent a letter to our Department recently respecting City and Regional charges for the creation of two additional lots at the above-noted subject lands. Attached you will find the owner's cost and also the cost charged by various works proportioned to the City and the Region.

With respect to the matters detailed in Mr. Richardson's letter, please be advised that the breakdown of costs are as follows:

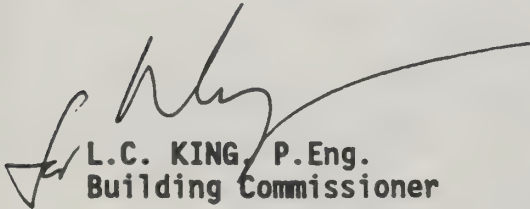
<b>CHARGES</b>	<b>COST</b>	<b>RESPONSIBLE COMMITTEE</b>
<u>Regional Charges</u> - Includes watermains, storm and sanitary sewers, private drains, and water service connection on Harbottle Court.	\$24,024	Regional Transportation Services
<u>One Half of the Road Allowance</u> - The land costs are for half the land required for Harbottle Court road allowance and a narrow strip of City land along the north flankage of 204 Chesley St.	\$49,000 plus \$13,500	Transportation & Environment
<u>Above Ground Works on Harbottle Ct.</u> - The rate of recovery of \$325/m of frontage.	\$22,262.50	Transportation & Environment
<u>Development Charges: City</u> - \$1,723 x 2	\$ 3,446.40	Finance & Administration
<u>Development Charges: Region</u> - \$5,252 x 2	\$10,504	Regional Finance
<u>5% Land Dedication</u> - Assuming \$60,000/lot - \$2,480 x 2	\$4,960	Planning & Development





I trust this information will aid you in endeavouring to have the development costs of this site reviewed by the committees responsible for the costs. If you have any further questions or require clarification, please feel free to contact this Department.

Yours truly,

A handwritten signature in black ink, appearing to read 'L.C. King', with a long horizontal flourish extending to the right.

L.C. KING, P.Eng.  
Building Commissioner

LCK\PCL\dm

**CONSENT AGENDA**

**Transport and Environment Committee  
Monday, 1993 September 20  
9:30 o'clock a.m.  
Room 233, City Hall**

**A G E N D A**

**A. ADOPTION OF THE MINUTES**

**Minutes of the Meeting held 1993 August 23**

**B. DIRECTOR OF TRAFFIC SERVICES**

**i. Parking Regulations**

- (a) No. 591 Mary Street - Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident**
- (b) Harrison Avenue between  
Kenilworth Avenue North and Harmony Avenue**
- (c) No. 39 Cheever Street -  
Revision of a Wheelchair Loading Zone**
- (d) Rebecca Street between  
Ferguson Avenue North and Cathcart Street**
- (e) Kerr Street/East 45th Street**
- (f) Intersection of Herkimer Street  
and Kent Street - Corner Clearances**
- (g) East Side of Talbot Avenue, north of Melvin Avenue -  
Extension of Stopping Prohibition**
- (h) Bay Street North/Wood Street**
- (i) Montmorency Drive**
- (j) Spring Street between Hunter Street East  
and Jackson Street East**
- (k) Crosthwaite Avenue North between  
Britannia Avenue and Cannon Street East**

URBAN M. 11

SEP 1993

GOVERNMENT DOCUMENTS





- (l) Apartment Building at No. 611 Concession Street -  
Application for a Time Limit Exemption Permit**
- (m) No. 95 Bond Street South - Request for a Reserved  
"Permit Parking" Space for a Disabled Resident**
- (n) East 27th Street between Halam Avenue and Mackenzie Road**
- (o) Whitney Avenue**
- (p) Various Intersections in Red Hill Neighbourhood**

**ii. Intersection Control**

- (a) Intersection of Southampton Drive and Deerborn Drive**
- (b) Intersection of Glendale Avenue North and Morris Avenue**
- (c) Intersection of Norma Jean Avenue and Eaglewood Drive**
- (d) Eleanor Avenue between Rymal Road East and Stone Church Road East**

**iii. Intersection Control/Parking Regulation**

**Solomon Crescent**

**iv. Application to lease a portion of the Boulevard**

**Canada Street adjacent to Nos. 106 and 108 Canada Street,  
Calabria Supermarket**



**C. DIRECTOR OF PROPERTY**

- i. Purchase by the Region of  
Part 3, Plan 62R-12601 from the  
City of Hamilton for Freeway Purposes  
Upper Wentworth Street, Hamilton
- ii. Alley Closure and Sale  
Rear Land abutting Municipal Addresses  
2054, 2062 Barton Street East  
and adjacent to 334 Brunswick Street
- iii. Offer to Purchase - Public Walkway between  
71 and 75 Janet Court, Kentley Neighbourhood

**D. DIRECTOR OF PUBLIC WORKS**

Construction of a Concrete Alley between  
Fairfield Avenue North and Paling Avenue from  
Britannia Avenue to the north limit of  
226 Fairfield Avenue North and  
255 Paling Avenue

**E. COMMISSIONER OF TRANSPORTATION AND ENVIRONMENTAL SERVICES**

Incorporating Certain City Lands into Various Streets by By-law

**F. CITY SOLICITOR**

Local Improvements of Finished Roadway and Concrete Curbs on Dulgaren Street

**G. DIRECTOR OF PROPERTY/DIRECTOR OF PUBLIC WORKS  
MANAGER OF PURCHASING**

Awarding of Tender for Renovations to  
Ferguson Yard Staff Facilities Building

**H. SECRETARY, TRANSPORT AND ENVIRONMENT COMMITTEE**

Information Reports





2(A)

The Transport and Environment Committee met.

Present: Alderman H. Merling, Chairman  
Alderman V. J. Agro, Vice-Chairman  
Mayor R. M. Morrow  
Alderman M. Kiss  
Alderman B. Morelli  
Alderman D. Wilson  
Alderman F. Eisenberger  
Alderman T. Jackson  
Alderman F. D'Amico

Also present: Alderman D. Ross  
Alderman D. Agostino  
Ms. B. Price, Hamilton Safety Council  
Ms. S. Wilson, Board of Education  
Mr. J. G. Pavelka, Chief Administrative Officer  
Mr. P. J. Halliday, Senior Director, Environmental Services Department  
Mr. G. Aston, Roads Department  
Mr. M. Main, Director of Traffic Services  
Mr. M. Hazell, Traffic Department  
Mr. P. Baker, Parking Authority  
Mr. P. Lampman, Building Department  
Mr. P. Hooker, Law Department  
Mr. R. Buckle, Property Department  
Mr. J. Moore, Laidlaw Energy Technologies Ltd.  
Mr. K. C. Christenson, Secretary

1. **DELEGATION**

**By-law to Stop-up, Close and to Authorize  
Sale of a portion of, and to alter the  
remainder of Beckley Street from John Street to James Street**

The Committee was in receipt of a report dated 1993 August 13 the Senior Director, Roads Department respecting the above-noted subject.

As no delegation was present, the Committee approved the following recommendation:

- (a) That the appropriate by-law for the closure and sale of a portion of Beckley Street, being designated as Part 2, on Plan 62R-12475, and the alteration of the remainder of Beckley Street being designated as Part 1, on Plan 62R-12475, be forwarded to City Council for enactment.
- (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

2.

A. **ADOPTION OF THE MINUTES**

The minutes of the meeting held 1993 July 19 were adopted as circulated.

**B. COMMISSIONER OF TRAFFIC SERVICES****i. Parking Regulations****(a) Golden Orchard Drive**

The Committee was in receipt of a report dated 1993 July 16 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "No Parking" regulation on the south and west sides of Golden Orchard Drive which commences at a point 126 feet west of Brigadoon Drive and extends to a point 215 feet northerly therefrom be shortened such that the regulation commences at a point 182 feet west of Brigadoon Drive and extends to a point 159 feet northerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

**(b) Simcoe Street West between Bay Street North and MacNab Street North**

The Committee was in receipt of a report dated 1993 August 4 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on both sides of Simcoe Street West between Bay Street North and MacNab Street North in place of the existing "One Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation; and
- (b) That the Director of Traffic Services be authorized to issue two parking permits to residents of Nos. 31, 32, 35, 38, 40 and 42 Simcoe Street and No. 364 Bay Street North and one parking permit to residents of Nos. 28, 33, 34, 36, 44 and 46 Simcoe Street, and any additional permits (to a maximum of twenty-two) on a first come first served basis; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

**(c) Dalcar Court**

The Committee was in receipt of a report dated 1993 July 26 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That parking be prohibited on both sides of Dalcar Court from Upper Paradise Road to the easterly end; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

**(d) Guildwood Drive**

The Committee was in receipt of a report dated 1993 August 10 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "No Parking" regulation be implemented on the south and south-west sides of Guildwood Drive commencing at a point 98 feet north west of the extended curb line of Gilcrest Street and extending to a point 153 feet westerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.



(e) **West Side of East 27th Street, south of Fennell Avenue East**

The Committee was in receipt of a report dated 1993 August 12 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., seven days a week" regulation on the west side of East 27th Street between Fennell Avenue East and the extended south curb line of MacKenzie Road be revised, such that the regulation commences at a point 136 feet south of Fennell Avenue East and extends to the extended south curb line of MacKenzie Road; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(f) **Brigadoon Drive**

The Committee was in receipt of a report dated 1993 July 28 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "Alternate Side Parking" regulation on Brigadoon Drive between Garrow Drive and Fiona Crescent (east leg) be shortened, such that the regulation commences at Grenoble Road and extends to Fiona Crescent (east leg); and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(g) **No. 23 Greendale Drive**

The Committee was in receipt of a report dated 1993 August 12 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "Alternate Side Parking" regulation on Brigadoon Drive between Garrow Drive and Fiona Crescent (east leg) be shortened, such that the regulation commences at Grenoble Road and extends to Fiona Crescent (east leg); and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(h) **Dunsmure Road**

The Committee was in receipt of a report dated 1993 August 3 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "Permit Parking" regulation on the north side of Dunsmure Road commencing at a point 51 feet east of Graham Avenue North and extending to a point 20 feet easterly therefrom be removed; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(i) **No. 190 East 26th Street**

The Committee was in receipt of a report dated 1993 August 12 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 10:00 p.m., seven days a week" regulation be implemented on the west side of East 26th Street commencing at a point 115 feet south of Queensdale Avenue East and extending to a point 25 feet southerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(j) **No. 73 Leeming Street**

The Committee was in receipt of a report dated 1993 July 16 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the west side of Leeming Street commencing at a point 84 feet south of Wright Avenue and extending to a point 22 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Randy Taylor, No. 73 Leeming Street; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

(k) **No. 293 Broadway Avenue**

The Committee was in receipt of a report dated 1993 August 9 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the east side of Broadway Avenue commencing at a point 336 feet south of Ainslie Avenue and extending to a point 24 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Dietmar Pietsch, No. 293 Broadway Avenue; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

(l) **Apartment Building at 148 Robinson Street**

The Committee was in receipt of a report dated 1993 August 10 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first four applicants residing in the apartment building at No. 148 Robinson Street.

**ii. Intersection Control****(a) Intersection of Pinard Street and Selway Court**

The Committee was in receipt of a report dated 1993 August 9 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That eastbound traffic on Pinard Street be required to stop for northbound and southbound traffic on Selway Court; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

**(b) Intersections of Parklands Drive and Connor Court**

The Committee was in receipt of a report dated 1993 August 4 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That eastbound traffic on Connor Court be required to stop for northbound and southbound traffic on Parklands Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

**(c) Intersection of Acadia Drive and Fano Drive**

The Committee was in receipt of a report dated 1993 August 12 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That westbound traffic on Fano Drive (north leg) be required to stop for northbound and southbound traffic on Acadia Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

**(d) Intersection of Limeridge Road West and Bonaventure Drive**

The Committee was in receipt of a report dated 1993 August 12 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That four-way stop control be implemented at the intersection of Limeridge Road West and Bonaventure Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

**(e) Intersection Control in the Gourley Neighbourhood**

The Committee was in receipt of a report dated 1993 August 13 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That northbound traffic on Annabelle Street (west leg) be required to stop for eastbound and westbound traffic on Chester Avenue; and
- (b) That eastbound traffic on Brigadoon Drive be required to stop for northbound and southbound traffic on Appleblossom Drive; and
- (c) That northbound traffic on Appleseed Place be required to stop for eastbound and westbound traffic on Brigadoon Drive; and
- (d) That the City Traffic By-law 89-72 be amended accordingly.



(f) **Intersection of Brucedale Avenue East and East 25th Street**

The Committee was in receipt of a report dated 1993 August 18 from the Director of Traffic Services respecting the above-noted subject.

The Committee agreed that the item be tabled in order that a delegation be heard at the next meeting.

iii. **Bus Stop Relocation**

(a) **Upper Gage**

The Committee was in receipt of a report dated 1993 July 16 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

(a) That in accordance with the request by the Hamilton Street Railway Company:

i. the following bus routing be approved:

Route 23 Upper Gage

Northbound - Eva Street from Rymal Road East to Eaglewood Drive.

Westbound - Eaglewood Drive from Eva Street to Eleanor Avenue.

ii. the following bus stop be relocated:

Route 23 Upper Gage

Delete - Northbound - Eleanor Avenue, east side, 195 feet north of the centre line of Rymal Road (M/B),

Add - Westbound - Eaglewood Drive, north side, 39 feet east of the east curb line of Eleanor Avenue (N/S); and

(b) That the City Traffic By-law 89-72 be amended accordingly.

(b) **Limeridge Route**

The Committee was in receipt of a report dated 1993 July 30 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

That in accordance with the request by the Hamilton Street Railway Company the following bus stop relocation be approved:

Route 45 Limeridge

Delete - Eastbound - Limeridge Road East, south side, 39 feet west of the west curb line of Leggett Crescent (east leg) (N/S),

Add - Eastbound - Limeridge Road East, south side, 97 feet east of the east curb line of Leggett Crescent (east Leg) (F/S).

**C. DIRECTOR OF PUBLIC WORKS****i. Proposed Construction of an Independent Concrete Sidewalk on the East Side of Upper Ottawa Street from Stone Church Road to approximately 275 m northerly**

The Committee was in receipt of a report dated 1993 August 12 from the Director of Public Works respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the construction of an independent concrete sidewalk on the east side of Upper Ottawa Street from Stone Church Road to approximately 275 m northerly proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$35,500. with a City's Share of \$13,072. and Owner's Share of \$22,428. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
- (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

**ii. Construction of a Concrete Curb on the north side of Rennie Street from Waterloo Street to approximately 38.8 m easterly (east limit of 777 Rennie Street) and the construction of a Concrete Curb and Sidewalk on the south side of Rennie Street from approximately 12.2 m east of Waterloo Street to approximately 12.2 m easterly (frontage of 776 Rennie)**

The Committee was in receipt of a report dated 1993 August 12 from the Director of Public Works respecting the above-noted subject.

Alderman Wilson questioned whether a sufficiently-signed petition had been received. Mr. Christenson responded that a sufficiently-signed petition had been received for this local improvement.

Subsequently, the Committee approved the following recommendation:

- (a) That the construction of a concrete curb on the north side of Rennie Street from Waterloo Street to approximately 33.8 m easterly (east limit of 777 Rennie Street) and the construction of a concrete curb and sidewalk on the south side of Rennie Street from approximately 12.2 m east of Waterloo Street to approximately 12.2 m easterly (frontage of 776 Rennie Street) proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$8,700. with a City's Share of \$5,446. and an Owner's Share of \$3,254. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.

iii. **Construction of a Concrete Alley  
first north of Barton Street East from Tragina Avenue North to Weir Street North**

The Committee was in receipt of a report dated 1993 August 12 from the Director of Public Works respecting the above-noted subject.

Alderman Wilson expressed concern about the two houses affected in this local improvement. Mr. Christenson responded that he would check on this issue and report back to Alderman Wilson prior to the next City Council meeting.

Subsequently, the Committee approved the following recommendation:

- (a) That the construction of a concrete alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east west portion only) proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$30,400. with a City's Share of \$25,175. and an Owner's Share of \$5,225. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.

D. **DIRECTOR OF PROPERTY**

i. **Alley Closure abutting 73 Murray Street East, Offer to Purchase Agreement**

The Committee was in receipt of a report dated 1993 August 9 from the Director of Property respecting the above-noted subject.

Alderman Agro questioned whether the residents in the area were satisfied with the recommendation. Mr. Buckle responded that the residents had been approached and were in agreement with the proposal.

Subsequently, the Committee approved the following recommendation:

- (a) That an Offer to Purchase (Highway Closure), duly executed by Nadia Medill on 1993 July 21, and scheduled to close within thirty (30) days of completion of the conditions as set out in the agreement, but in any event, no later than 1994 July 12, for the sale of part of the alley between Lots 1, 2, and 7, Registered Plan 271, having a frontage of .939 metres (3.08 feet) more or less, along the northerly limit of Murray Street East, by a depth of 11.125 metres (36.5 feet) more or less, and comprising a total area of 10.591 square metres (114.0 square feet) more or less, and designated as Part 1 on Reference Plan 62R-12253, be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.



**ii. Proposed Bus Shelter Installation Mohawk Road East at Upper Wentworth Street**

The Committee was in receipt of a report dated 1993 August 11 from the Director of Property respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That approval be given to the Hamilton Street Railway Company to install a 5 ft. x 10 ft. bus shelter located at 775 Upper Wentworth Street at an annual fee of \$1. to be credited to Account No. CH44104 31106 (Rent Oblique fees -City Property).
- (b) That the Mayor and City Clerk be authorized to execute the necessary Licence Agreement in a form satisfactory to the City Solicitor.
- (c) That it is understood and agreed that the Hamilton Street Railway Company will remove the said bus shelter if required by the City, for any purpose, given thirty (30) days written notice without reservation.

**E. COMMISSONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES****i. 1993 Servicing Expenditures Related to Subdivisions**

The Committee was in receipt of a report dated 1993 August 9 from the Senior Director Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That Section 46 of the Eighth Report of the Transport and Environment Committee approved 1993 June 29, be rescinded as this recommendation is no longer required for the development of Edan Heights - Phase 3, Hamilton.
- (b) That the estimated City share of works required under the Modified Subdivision Agreement with the Owner of certain lands on Bow Valley Drive, (Vedemo Construction Limited), in conjunction with Severance Application H-76-72, Hamilton, be approved;  
City's Share - \$1,410.27 Owners share - \$28,631.64
- (c) That the Finance and Administration Committee recommend the method of financing the City's share.
- (d) That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement with the Owner (Vedemo Construction Limited), for the lands under Severance Application H-76-92, Hamilton, as well as any other related documents for this Modified Subdivision Agreement, subject to the approval of the City Solicitor.

**ii. Corsica Court Street Party**

The Committee was in receipt of a report dated 1993 August 12 from the Senior Director Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of A. Demik, agent for the Hamilton Mountain Provincial Riding Association, to temporarily close Corsica Court at Bonaparte Way, on Thursday, 1993 July 22 from 6:00 o'clock p.m. to 9:00 o'clock p.m. to hold a Street Party, subject to the following conditions:

- (a) That approval from Regional Police Services be received;
- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

iii. **Westdale B.I.A. - Temporary Closure  
of King Street West between North Oval and Cline Avenue**

The Committee was in receipt of a report dated 1993 August 11 from the Senior Director Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

That the application of D. Upsdell, agent for the Westdale Business Improvement Association (991 King Street West, Hamilton), to temporarily close King Street West between North Oval and Cline Avenue, on Saturday, 1993 September 18, from 8:00 o'clock a.m. to 12:00 midnight be approved, subject to the following conditions:

- (a) That approval from Regional Police Services be received;
- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.



**iv. Greater Hamilton Aquafest**

The Committee was in receipt of a report dated 1993 August 10 from the Senior Director Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of A. Bradford, agent for the Regional Municipality of Hamilton-Wentworth, Economic Development Department (1 James Street South, Hamilton) to temporarily close the following City streets from Friday, 1993 July 23, at 8:00 o'clock a.m. to Monday, 1993 July 26 at 5:00 o'clock p.m.:

Bay Street North from Burlington to Guise  
MacNab Street North from Burlington to Guise  
James Street North from Burlington to Guise  
Hughson Street North from Burlington to Guise  
John Street North from Burlington to Guise  
Catharine Street North from Burlington to Guise  
Mary Street North from Burlington to Guise  
Ferguson Avenue North from Burlington to Guise  
Guise Street from Bay to Ferguson;

for the annual Greater Hamilton Aquafest, provided;

- (a) That approval from the Regional Police Services be received;
- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

**v. Hess Village Grand Prix Bicycle Race, Sunday, 1993 August 8**

The Committee was in receipt of a report dated 1993 August 10 from the Senior Director Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of T. Farrar, agent for Cycle Hamilton (244 Jackson Street West, Hamilton) to temporarily close Hess Street from King to Main, George Street from Queen to Ray and Ray Street from George to King on Sunday 1993 August 8, from 1:00 o'clock p.m. to 7:00 o'clock p.m., in order to hold the annual Hess Village Grand Prix Bicycle Race, subject to the following conditions:

- (a) That approval from Regional Police Services be received;



- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services, and at the expense of the applicant;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

vi. **Temporary Road Closure of Webster Road**

The Committee was in receipt of a report dated 1993 August 13 from the Senior Director Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of B. Nash (50 Webster Road, Stoney Creek) to close Webster Road on Saturday, 1993 July 10 from 2:00 o'clock p.m. to 10:00 o'clock p.m., in order to control the unauthorized use of private property for parking during a fireworks display at the adjacent Battlefield Park, subject to the following conditions:

- (a) That approval from Regional Police Services be received;
- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;

- (h) That all property owners and tenants along the closed portion of the route be notified of the closure by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

vii. **Encroachment Agreements**

The Committee was in receipt of a report dated 1993 August 16 from the Senior Director Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the applications to retain inadvertent encroachments at the following locations be approved during the pleasure of City Council:

	Location	Type of Encroachment	First Year/ Annual	File Number
i.	127 Strachan Street East	Portion of building measuring 32.30 ft. x 0.33 ft. and chimney measuring .75 ft. x 5.75 ft. onto Mary Street and porch measuring 19.56 ft. x .023 ft. onto Strachan Street	\$111./\$20.	T103-50 (1063)
ii.	204 Burris Street	Steps measuring 1.52 ft. x 4.5 ft. onto Burris Street	\$111./\$20.	T103-50 (1064)

- (b) That approval be subject to the following:

- i. That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- ii. That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.
- iii. That the first year fees and subsequent annual fees as outlined in recommendation (a) i. and ii. be set for the encroachments.

**F. CITY SOLICITOR****i. Local Improvements of Concrete Sidewalks and Curbs and Finished Roadway on Forbes Street - \$47,400.**

The Committee was in receipt of a report dated 1993 July 19 from the City Solicitor respecting the above-noted subject.

The Committee approved the following recommendation:

That City Council enact the by-law to authorize construction of local improvements of concrete sidewalks and curbs and finished roadway on Forbes Street from approximately 40 m south of Blossom Lane to approximately 57 m southerly.

**ii. Local Improvements of Finished Roadway on Acadia Drive, \$111,600.**

The Committee was in receipt of a report dated 1993 July 19 from the City Solicitor respecting the above-noted subject.

The Committee approved the following recommendation:

That City Council enact the by-law to authorize construction of local improvements of finished roadway on Acadia Drive approximately 50 m south of Butler Drive to approximately 200 m southerly.

**iii. Local Improvements of Concrete Sidewalks on Upper Wellington Street - \$25,300.**

The Committee was in receipt of a report dated 1993 July 23 from the City Solicitor respecting the above-noted subject.

The Committee approved the following recommendation:

That City Council enact the by-law to authorize construction of local improvements of concrete sidewalks on the west side of Upper Wellington Street from Bryna Avenue to the north limits of the East-West Freeway.

**G. MANAGER OF PURCHASING****Supply and Delivery of Automotive Brake Parts during 1993 and 1994, Public Works Department**

The Committee was in receipt of a report dated 1993 August 16 from the Manager of Purchasing respecting the above-noted subject.

The Committee approved the following recommendation:

That a purchase order be issued to Industrial Brake, Hamilton, for the supply and delivery of Automotive Brake Parts for medium and heavy duty vehicles over 15,000 lb. GVW as and when required during 1993 and 1994 by the Public Works Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be funded through Parts Account CH56702 64105.



H. SECRETARY, TRANSPORT AND ENVIRONMENT COMMITTEE**Information Reports**

The Committee was in receipt of a report dated 1993 August 16 from the Secretary, Transport and Environment Committee respecting Information Reports.

The Committee approved the following recommendation:

That the following list of Information Reports, that were previously distributed to the Transport and Environment Committee, be received.

Date	From	Subject	Date
1993 July 7	Murray Main, Director Traffic Services and John Johnston, Commissioner Human Resources	Organizational Restructuring Traffic Operations Division Traffic Signal Section	1993 July 15
1993 July 5	Ted Gill, Senior Director Roads Department	PaRCIL PROJECT Quarterly Report March 30, 1993	1993 July 16
1993 July 20	CP Rail System, Toronto	Notice of Swedish X2000 Passenger Train Demonstration Over CP Rail Lines	1993 July 26
1993 July 26	CP Rail Systems	Work - CP Rail Systems CP Railway Right-of-Way Canada Street and Hunter Street between Queen Street and Richmond Street	1993 August 4

3. COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES(a) **Decontamination of PCBs by Sanexen Environmental Services for Laidlaw, Hamilton**

The Committee was in receipt of a report dated 1993 July 19 from the City Solicitor respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the West Central Branch of the Ministry of the Environment and Energy be advised that the City of Hamilton has no objection to Sanexen Environmental Services Inc. carrying out the proposed PCB chemical destruction for Laidlaw at 470 Kenora Avenue North, Hamilton, Ontario;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment and Energy (MOEE) be waived so that the proposed work referred to in sub-section (a) above, can be carried out as scheduled;
- (c) That no specific Municipal or Regional permits are required for the proposed work referred to in sub-section (a).

**\*Alderman Kiss opposed to sub-section (b).**

**(b) Decontamination of PCBs by TASSCO for J. I. Case Company**

The Committee was in receipt of a report dated 1993 August 11 from the Senior Director, Environmental Services Committee respecting the above-noted subject.

The Committee approved the following recommendation.

- (a) That the West Central Branch of the Ministry of the Environment and Energy be advised that the City of Hamilton has no objection to TASSCO carrying out the proposed PCB chemical destruction for J. I. Case at 450 Sherman Avenue North, Hamilton, Ontario;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment and Energy (MOEE) be waived so that the proposed work referred to in sub-section (a) above, can be carried out as scheduled;
- (c) That no specific Municipal or Regional permits are required for the proposed work referred to in sub-section (a).

**\*Alderman Kiss opposed to sub-section (b).**

**4. CITY CLERK****School Crossing Guard Services -  
Intersection of Barton Street East and Nash Road**

The Committee was in receipt of a report dated 1993 March 15 from the Director of Traffic Services respecting the above-noted subject which had been referred back from City Council at its meeting held 1993 May 11.

The Committee agreed that the item be tabled in order that the Traffic Department provide further information.

**5. PARKING AUTHORITY BOARD****Parking Meter Rate Changes, Central Business District**

The Committee was in receipt of a report dated 1993 August 16 from the General Manager, Hamilton Parking Authority respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That, to establish consistency in meter charges, and to recapture a portion of the Provincial Sales tax recently imposed on all on-street meters, that City Council approve an adjustment in the on-street meters in the Central Business District (Barton to Herkimer and Wellington to Queen) to a single rate of \$.50 per half hour (inclusive of PST and GST) and,
- (b) That City Traffic By-law 89-72 be amended accordingly.

**6. ALDERMAN V. J. AGRO****Queen Street South and Aberdeen Avenue -  
Proposed Northbound Right Turn Prohibition**

The Committee was in receipt of correspondence dated 1993 August 11 from Alderman V. J. Agro respecting the above-noted subject as well as other correspondence respecting this issue.

The Chairman spoke to the issue and stated that a memorandum dated 1993 August 12 from W. B. O'Brien, Director of Transportation Services respecting this issue was included in the agenda. The Chairman indicated that Regional Council's direction on this issue in January of 1992 was that public meetings be held and a report be sent back within three months. He stated that Regional Council's direction on this issue had not be followed. Alderman Agro spoke to the issue and stated that the traffic flow problems needed to be addressed and that area residents would like to appear to express their concern. The Chairman indicated that Queen Street was a Regional road and that item was here for discussion only and that a recommendation could only be forwarded to Regional Council for their consideration.

Following discussion, the Committee approved that the Commissioner of Transportation/Environmental Services be requested to following the direction of the Transportation Services Committee at its meeting of 1992 January 27 and organize meetings of the Pedestrian Safety Advisory Sub-Committee and representatives of the affected neighbourhoods on the issue of prohibition of northbound right turns from Queen Street onto Aberdeen Street and report back to the Transportation Services Committee.

7. **ALDERMAN D. ROSS**

(a) **Petition - Requesting Placement of Stop Signs at Cranbrook Drive and Stanlow Crescent ... and Cranbrook Drive and Greenshire Drive - Intersection Control**

The Committee was in receipt of correspondence dated 1993 August 9 from Alderman D. Ross respecting the above-noted subject.

The Committee was further in receipt of a report dated 1993 August 18 from the Director of Traffic Services respecting the above-noted subject.

Following discussion, the Committee approved the following recommendation:

- (a) That three-way stop control be implemented at the intersection of Cranbrook Drive and Stanlow Crescent; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

The Committee tabled the request for a stop sign at Cranbrook Drive and Greenshire Drive in order that a delegation be heard at a future meeting.

(b) **No. 204 Chesley Street**

Alderman Ross stated that he had requested that an item respecting development charges at No. 204 Chesley Street be placed on the Transport and Environment Committee agenda. He stated that he had been informed that the Chairman of the Committee had determined that it was not the appropriate Committee for this issue to be addressed at. Alderman Ross stated that while the Finance and Administration Committee and Planning and Development Committee were all involved that it was his understanding that the Transport and Environment Committee would be the most appropriate Committee for discussion to take place on this issue. The Chairman indicated that because of the financing involved that the issue was within the Finance and Administration Committee's jurisdiction.

Following considerable discussion, the Committee agreed that Mr. Ray Richardson appear on the next Transport and Environment Committee agenda as a delegation respecting the development charges at 204 Chesley Street.



8. OTHER BUSINESS

## (a) Dog By-law

Ms. Price indicated that she, along with other residents in her neighbourhood had been bitten by a dog and that the Dog By-law No. 85-140 required amendments in order that it be easier to take action against the owner of a vicious dog. The Chairman indicated that this item comes under the Health Act as well as the Vicious Dog Act and explained the process. He stated that whoever was bitten should lay a charge with the Police against the owner of the animal. He indicated that he would look into the matter on Ms. Price's behalf.

## (b) Water Quality - Harbourfront Park

Mayor Morrow spoke to the issue of Michael Davison's articles in the Spectator respecting the water quality at Harbourfront Park. He indicated that the facts as stated in the Spectator by Mr. Davison were wrong.

9. ALDERMAN V. J. AGRO

No. 355 MacNab Street North  
Building Permit/Laneway

The Committee agreed to move into camera to discuss this issue. Following a brief in camera session, the Committee moved out of camera and approved the following recommendation:

At its meeting held 1993 August 23, the Transport and Environment Committee discussed the issue of 355 MacNab Street North - Building Permit/Laneway.

Following an in camera session, the Committee approved the following recommendation respecting the issue;

"That a report on 355 MacNab Street North - Building Permit/Laneway be prepared by the Law, Planning and Building Departments specifically responding to the following issues:

1. Why no one would be notified that the alleyway was to be closed to residents after it had been open for almost 100 years?
2. Whether the owner of 355 MacNab Street North changed plans midstream by enlarging his property from the original 30' x 117' to 30' x 123'?
3. If the owner did change plans as per question #2, how did this happen?
4. If the owner did change plans as per question, #2, who is responsible?

10. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

Kevin C. Christenson  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

2(B)(i)(a)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 30

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

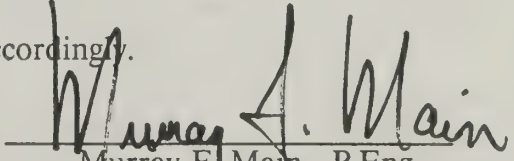
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

No. 591 Mary Street - Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-196-93]

**RECOMMENDATION:**

- a) That the existing "Permit Parking" regulation on the west side of Mary Street commencing at a point 73 feet south of Brock Street and extending to a point 22 feet southerly therefrom, be removed; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of removing the signs.

**BACKGROUND:**

In 1991, City Council approved a request from Mr. David Haime, No. 591 Mary Street, to implement a reserved "Permit Parking" space on Mary Street directly in front of his home since he is disabled. However, Mr. John Coyne, who also resides at No. 591 Mary Street, has advised that Mr. Haime has moved and that the "Permit Parking" regulation is no longer required. The Traffic Department has confirmed that the disabled resident has moved. Therefore, it would be appropriate to rescind the regulation.

25 C-1  
MT/CVB/ks



HARBOUR HEADLINE

PIER No. 10

PIER No. 9

F-1

DOCK SERVICE ROAD

E/S-28

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E/S-843

H/S-182

G/S-902

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2(BXIXb)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 30

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

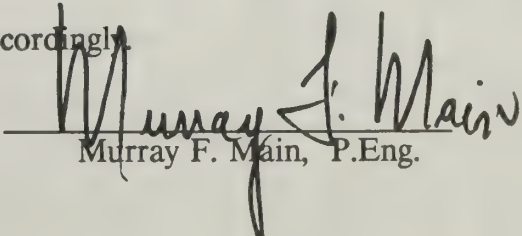
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Harrison Avenue between Kenilworth Avenue North and Harmony Avenue - Parking Regulations. [TEC-198-93]

**RECOMMENDATION:**

- a) That the existing "No Parking" regulation on the north side of Harrison Avenue between Kenilworth Avenue North and Harmony Avenue be switched to the south side of the street; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

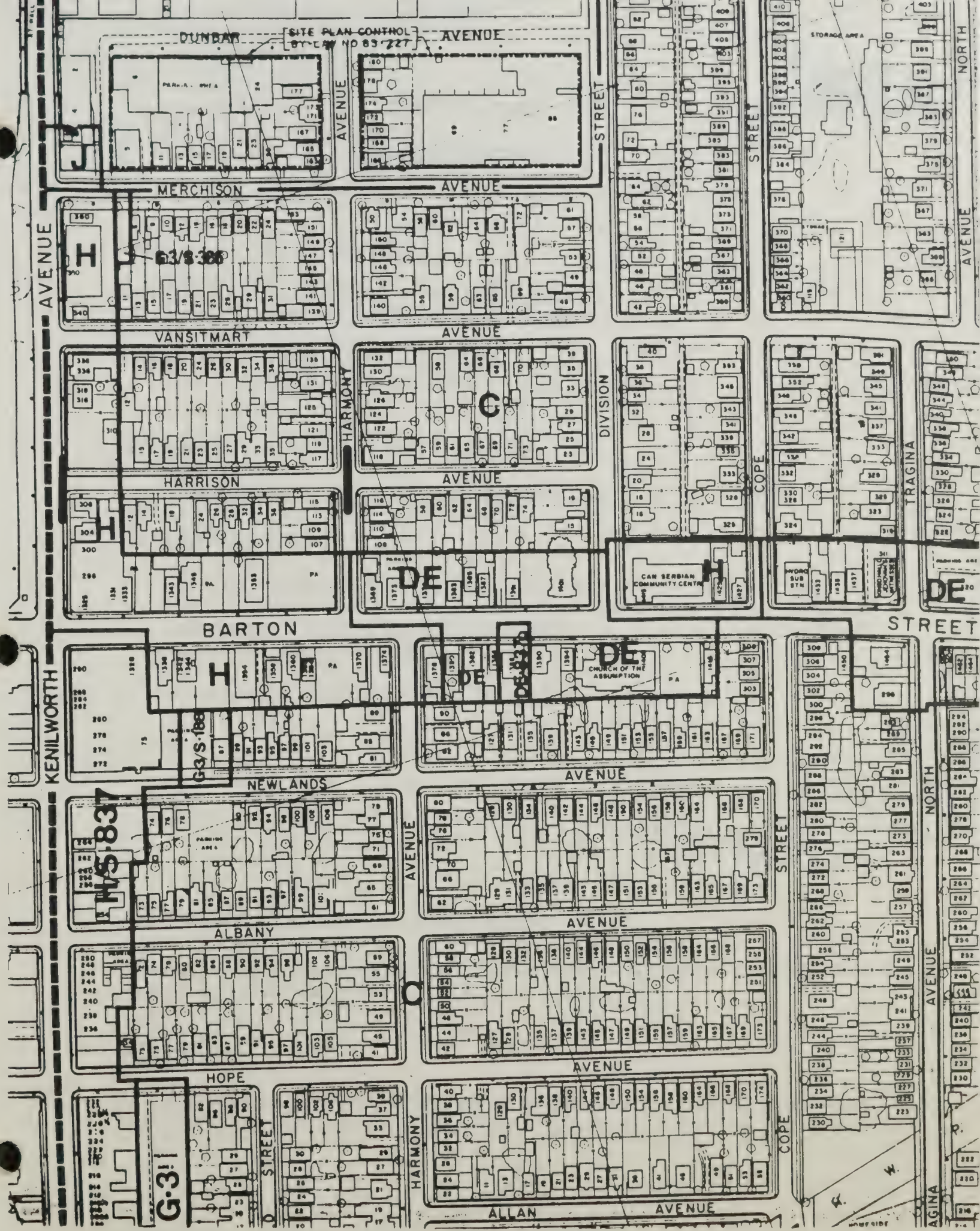
**BACKGROUND:**

The Traffic Department has received a petition signed by representatives of 18 of the 23 one, two and three family dwellings abutting Harrison Avenue between Kenilworth Avenue North and Harmony Avenue, requesting that the existing "No Parking" regulation be switched to the south side of the street in order to maximize the number of on-street parking spaces. Apparently, several residents recently installed residential boulevard parking spaces which has resulted in a loss of parking spaces on the south side of the street. Seventeen of the abutting residents who signed the petition are in favour and one is opposed.

Harrison Avenue has a 24 foot pavement width, and presently, there is unrestricted parking on the south side and a parking prohibition on the north side of the street in this block. A recent site investigation has revealed that there is only one more legal parking space on the north side of the street than there is on the south side. Notwithstanding, since 78 percent of the abutting residents are in favour of the requested regulation, the Traffic Department has no objection to this request.

*MT* Cvi  
MT/CVB/ks





SITE PLAN CONTROL  
BY L.P. NO 83-227

DUNDAS AVENUE

MERCHISON AVENUE

VANSITMART AVENUE

HARRISON AVENUE

BARTON STREET

STREET

NEWLANDS AVENUE

ALBANY AVENUE

HOPE STREET

AGINA AVENUE

COPE STREET

COPE STREET

ALLAN AVENUE

ALLAN AVENUE

G-3

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CAN SERBIAN  
COMMUNITY CENTRE

DE

CHURCH OF THE  
ASSUMPTION

DE

H-5-837

G-3





2(BXiK)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 30

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

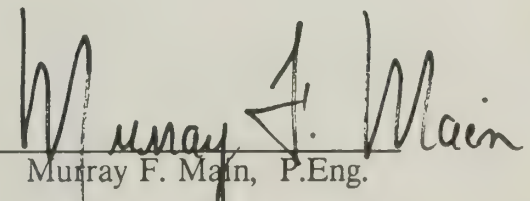
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

No. 39 Cheever Street - Revision of a Wheelchair Loading Zone. [TEC-199-93]

**RECOMMENDATION:**

- a) That the existing "No Stopping, Wheelchair Loading Only" regulation on the west side of Cheever Street commencing at a point 245 feet south of Birge Street and extending to a point 20 feet southerly therefrom be revised such that it will be in effect from 8:00 a.m. to 12:00 a.m. (midnight); and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of revising the subject signs.

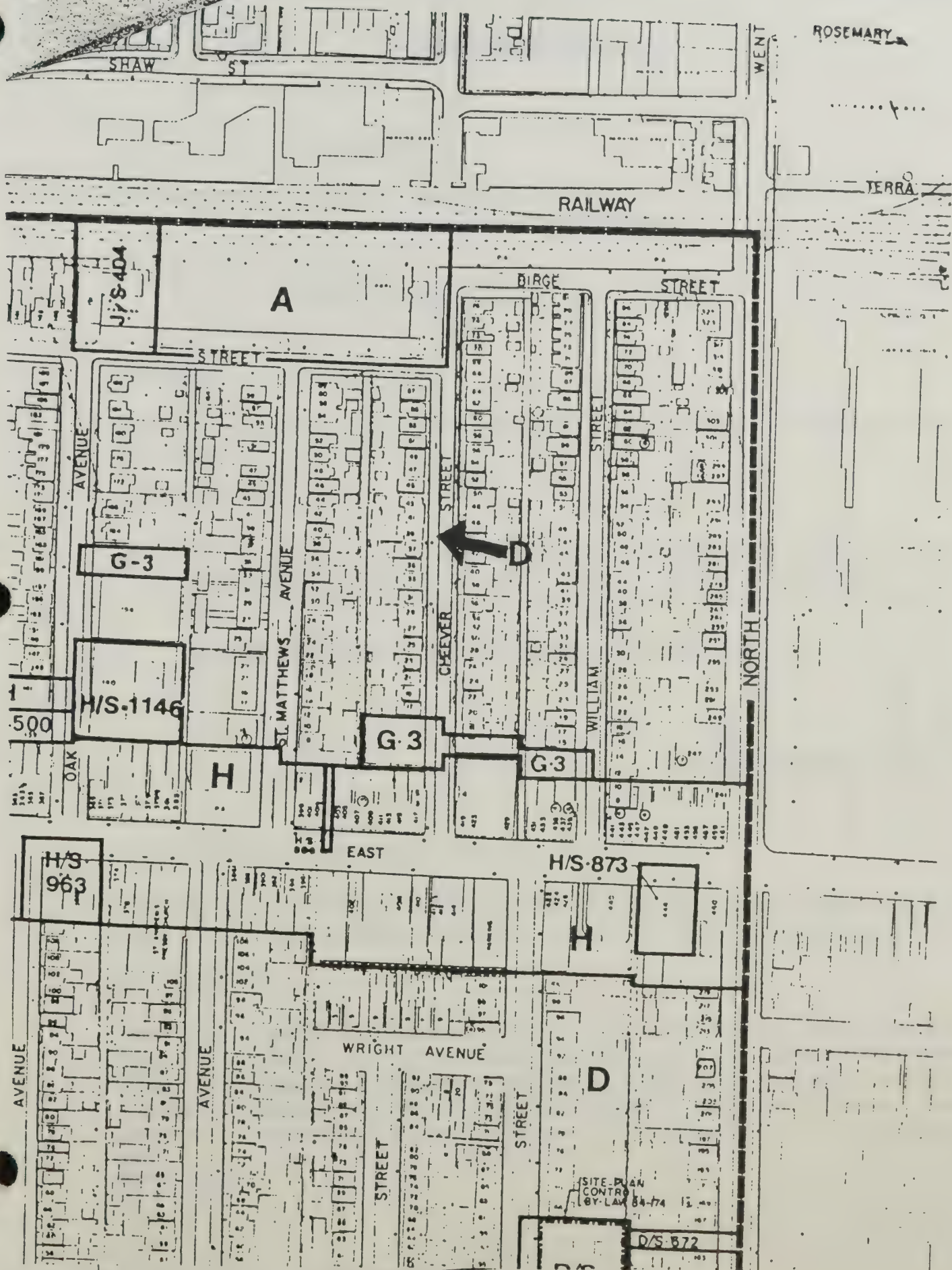
**BACKGROUND:**

Area residents have expressed concern that the full-time wheelchair loading zone in front of No. 39 Cheever Street is not used over-night. The Traffic Department subsequently

contacted this resident to determine if he would agree to limit the hours of the regulation such that the space would be available for parking by area residents between midnight and 8:00 a.m. and the resident agreed. Therefore, the Traffic Department recommends that the existing full-time wheelchair loading zone at No. 39 Cheever Street be revised such that it will be in effect from 8:00 a.m. to 12:00 a.m. (midnight), seven days a week.

CVB/ks





ROSEMARY

TERRA

RAILWAY

BIRCH

STREET

STREET

G-3

H/S-1146

H

G-3

G-3

CHEEVER STREET

WILLIAM STREET

NORTH

EAST

H/S-873

H

D

WRIGHT AVENUE

STREET

STREET

SITE PLAN  
CONTR  
BY LAW 88-74

D/S-872

AVENUE

AVENUE

SHAW

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2(B)(1)(d)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 07

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

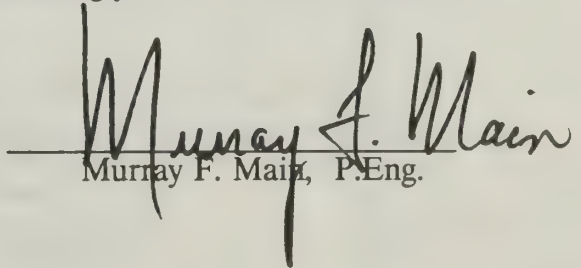
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Rebecca Street between Ferguson Avenue North and Cathcart Street - Parking Regulations.  
[TEC-200-93]

**RECOMMENDATION:**

- a) That the existing "Taxi Stand" regulation on the north side of Rebecca Street commencing at a point 108 feet east of Ferguson Avenue North and extending to a point 55 feet easterly therefrom be replaced with two one hour parking meters.
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

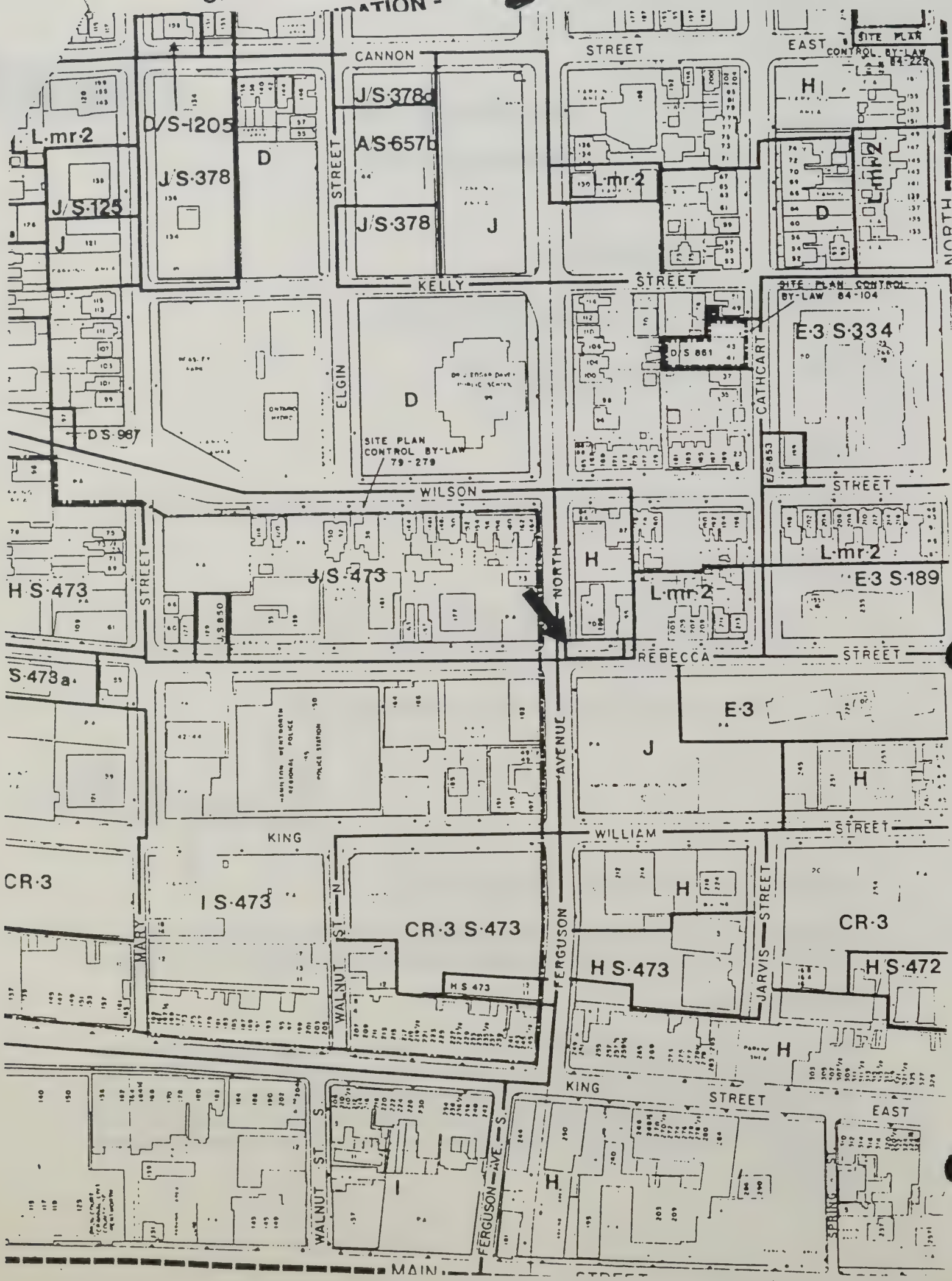
Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs and meters.

**BACKGROUND:**

The City of Hamilton Taxi Inspection Office, No. 195 Rebecca Street, has recently been permanently closed. Therefore, the existing taxi stand on the north side, directly in front of this building, which was used to accommodate the queue of taxis waiting for inspections, is no longer required. Therefore, it would be appropriate to replace the existing taxi stand with two additional parking meters which presently exist on the west portion of this block.

  
MT/CVB/ks





2 (Bxix)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

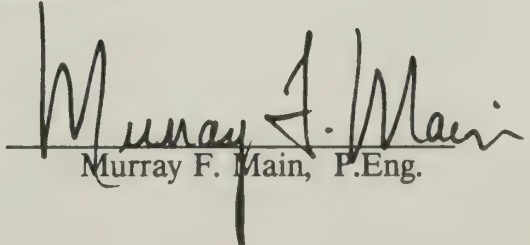
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Kerr Street / East 45th Street - Parking Regulations. [TEC-204-93]

**RECOMMENDATION:**

- a) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the south side of Kerr Street between East 44th Street and East 45th Street be removed; and
- b) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the north side of Kerr Street between East 44th Street and Greenmeadow Road be removed; and
- c) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the west side of East 45th Street between Kerr Street and Bruce Dale Avenue East be removed; and
- d) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of removing the required signs.

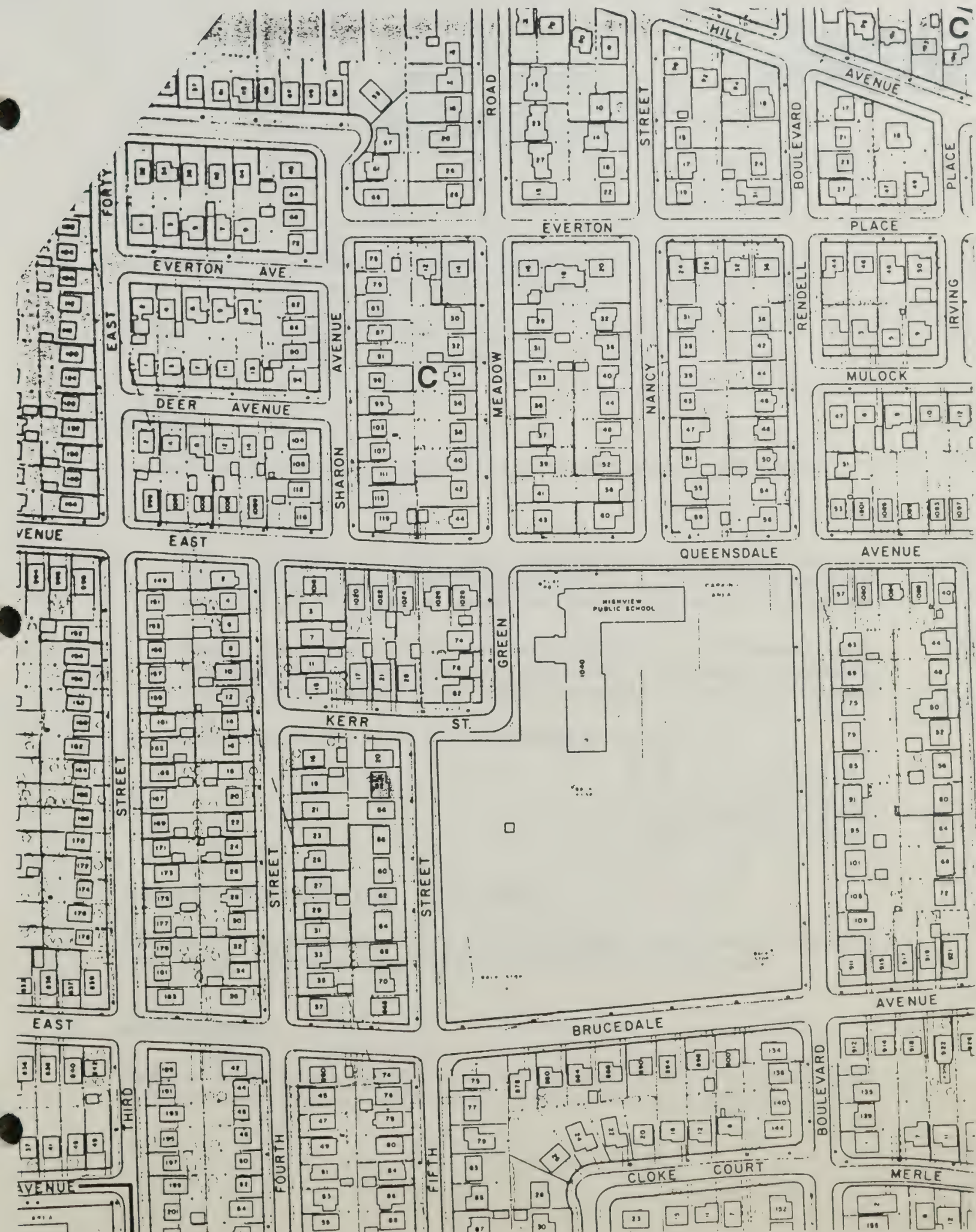
## BACKGROUND:

The Traffic Department received two petitions, the first signed by representatives of eight of the ten residential dwellings abutting East 45th Street between Brucedale Avenue East and Kerr Street, and the second petition signed by representatives of four of the seven residential dwellings abutting Kerr Street between East 44th Street and Greenmeadow Road. Both petitions request that the part-time parking prohibitions be removed from the west side of East 45th between Brucedale and Kerr and from the north and south sides of Kerr between East 44th and Greenmeadow. One resident on East 45th who signed one of the petitions, opposes the requested changes to the existing parking regulations and staff contacted one resident on Kerr who also advised that she does not support it.

The existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulations were implemented in September 1988, due to residents' concerns regarding long-term non-resident parking by students and employees from the Highview Campus of Mohawk College. However, staff has recently been advised that Mohawk College closed this campus. Therefore, since 65 percent of the abutting residents on these two streets support the removal of the part-time parking prohibitions, the Traffic Department concurs with this request.

*MT*  
MT/CVB/ks







268Xixf

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

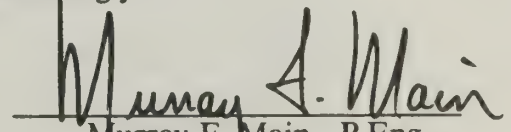
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Herkimer Street and Kent Street - Corner Clearances. [TEC-205-93]

**RECOMMENDATION:**

- a) That the existing 48 foot "No Parking" regulation on the north side of Herkimer Street, immediately west of Kent Street, be replaced with a "No Stopping" regulation, commencing at Kent Street and extending to a point 68 feet westerly therefrom; and
- b) That the existing "No Parking" regulation on the south side of Herkimer Street, immediately west of Kent Street, be replaced with a "No Stopping" regulation commencing at Kent Street and extending to a point 68 feet westerly therefrom; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

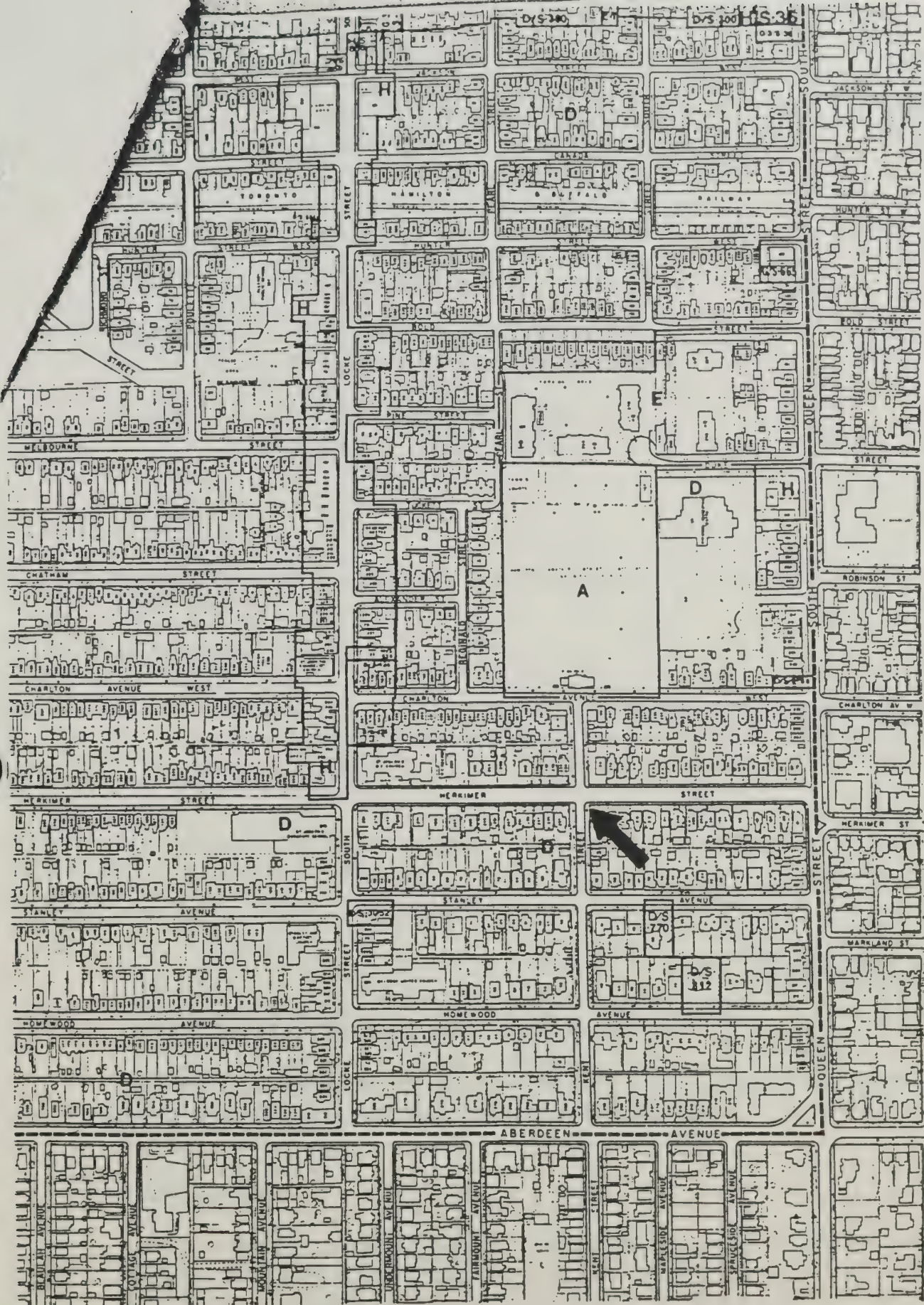
Alderman Terry Cooke has advised of concerns expressed by Ms. D. O'Flaherty, 1-222 Herkimer Street, regarding visibility at the intersection of Herkimer and Kent.



Presently, there are existing "No Parking" regulations on both sides of Herkimer, immediately west of Kent. However, motorists are permitted to stop in this area for the purpose of loading and unloading. Therefore, in order to provide clear visibility at this intersection at all times, it would be appropriate to replace these "No Parking" regulations with "No Stopping" regulations.

The existing "No Parking" regulation on the north side is 48 feet in length and 46 feet on the south side. The proposed "No Stopping" regulations will each be 68 feet in length. Therefore, there will be a loss of two legal on-street parking spaces. However, since most residents have available off-street parking, the loss of only two on-street parking spaces should not create any parking difficulties for area residents.

*2/21/21*  
MT/CVB/ks



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138	92	41
26	93	41

This is not a Legal Document

CITY OF HAMILTON  
KIRKENDALL NORTH  
ZONING





218XIX9

CITY OF HAMILTON  
- RECOMMENDATION -

**DATE:** 1993 September 1

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

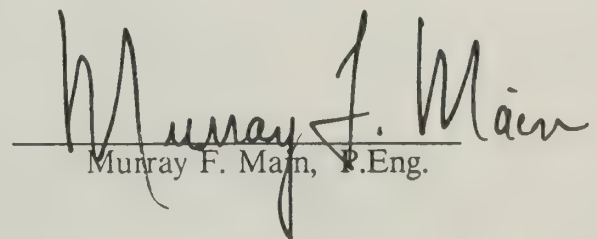
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

East side of Talbot Avenue, north of Melvin Avenue - Extension of Stopping Prohibition.  
[TEC-210-93]

**RECOMMENDATION:**

- a) That the existing "No Stopping Anytime" regulation on the east side of Talbot Avenue commencing at Melvin Avenue and extending to a point 127 feet northerly therefrom be extended, such that the regulation extends to a point 163 feet north of Melvin Avenue; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**


Sufficient funds have been provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required "No Stopping" signs.

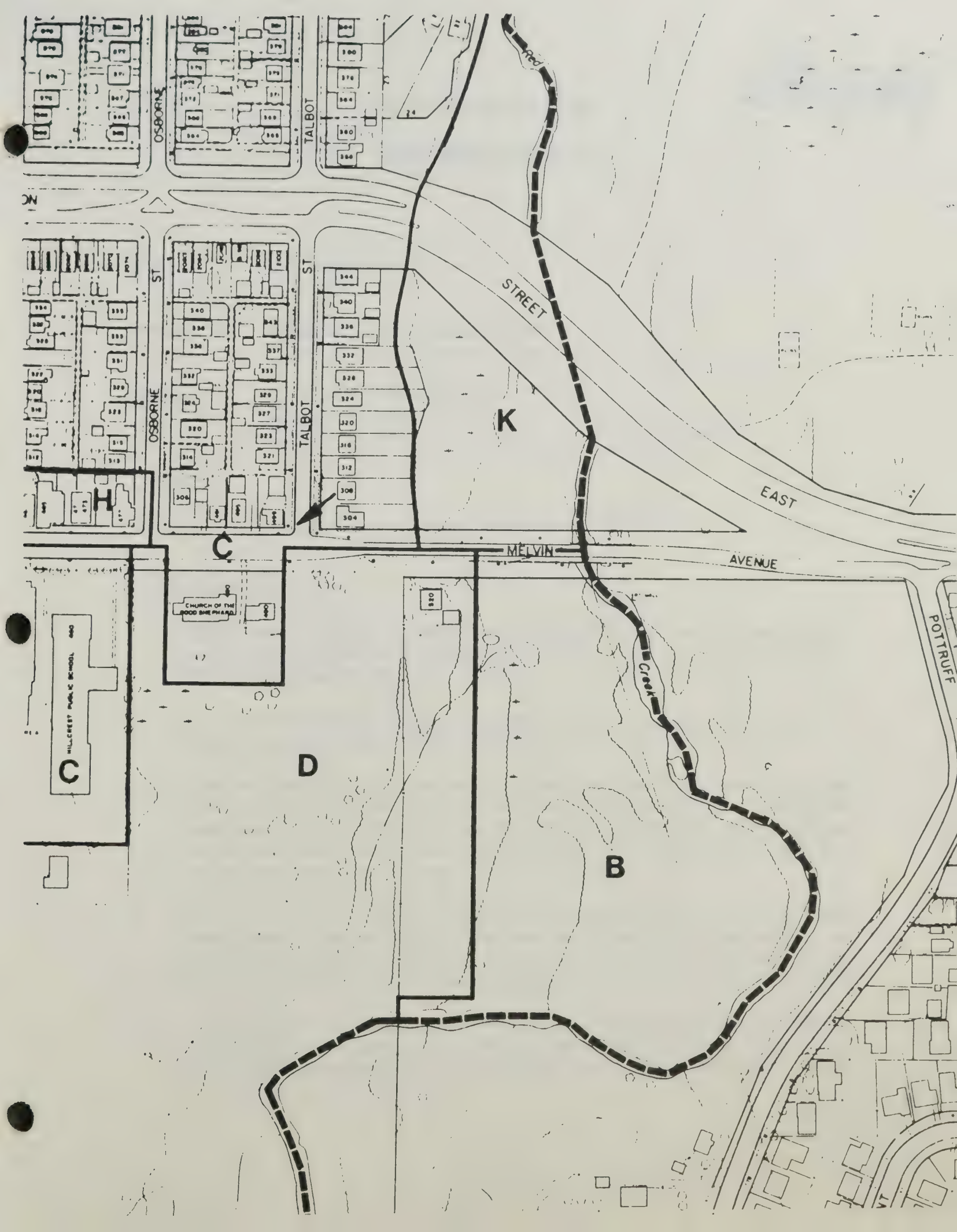
**BACKGROUND:**

Alderman Dominic Agostino recently requested an investigation into a request by Mr. D'Antino, 312 Talbot Avenue that the existing "No Stopping" sign on the wood pole on the road allowance within his driveway be relocated to the north side of his property to facilitate driveway movements.

An investigation has revealed that there is an existing "No Stopping Anytime" area on the east side of Talbot, north of Melvin to facilitate the movement of buses on this street. Because of the unusual configuration of Mr. D'Antino's driveway and the narrow street width (24 feet), driveway movements may be obstructed to some degree when a vehicle is parked immediately adjacent to this driveway. Therefore, the Traffic Department supports the request.

Lengthening the existing "No Stopping Anytime" clearance across the frontage of the applicant's property would result in a loss of one legal on-street parking space only from the 1st to the 15th of each month, April to November and during the months of December to March. However, since this space is located directly in front of the applicant's property and since virtually all of the other residents in the block have off-street parking provided, no parking problems are anticipated.

  
MH/ca







2(BXiXh)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Bay Street North / Wood Street - Parking Regulations. [TEC-212-93]

**RECOMMENDATION:**

- a) That a "Permit Parking" regulation be implemented on the south and east sides of Bay Street North between Burlington Street West and the east property line of No. 512 1/2 Bay Street North; and
- b) That a "Permit Parking" regulation be implemented on both sides of Wood Street between Burlington Street West and Bay Street North; and
- c) That the Director of Traffic Services be authorized to issue on the south side of Bay Street North between Burlington Street West and Wood Street, upon request, two parking permits per residence to Nos. 74, 76, 80 and 82 Burlington Street West, and No. 492 Bay Street North, and one permit to No. 84 Burlington Street West, to a maximum of eleven permits; and
- d) That the Director of Traffic Services be authorized to issue on the west side of Wood Street between Burlington Street West and Bay Street North, upon request, two parking permits per residence to No. 61 Wood Street and No. 502 Bay Street North, and one permit to No. 70 Burlington Street West, to a maximum of five permits; and
- e) That the Director of Traffic Services be authorized to issue on the east side of Wood Street between Burlington Street West and Bay Street North, upon request, two parking permits per residence to No. 68 Wood Street and No. 506 Bay Street North to a maximum of four permits; and

- f) That the Director of Traffic Services be authorized to issue on the south side of Bay Street North between Wood Street and the east property line of No. 512 1/2 Bay Street North, upon request, one parking permit per residence to Nos. 508 and 512 1/2 Bay Street North and two parking permits to No. 508 Bay Street North to a maximum of four permits; and
- g) That the City Traffic By-law 89-72 be amended accordingly

  
Murray F. Main, P.Eng.

#### **FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, there is a potential for \$288.00 in revenue each year from the sale of parking permits which would off-set the cost to some degree.

#### **BACKGROUND:**

The Traffic Department has received a petition signed by representatives of 13 of the 14, one, two and three family dwellings abutting the south and east sides of Bay Street North between Burlington Street West and Guise Street and also abutting both sides of Wood Street between Burlington Street West and Bay Street North requesting that "Permit Parking" regulations be implemented on the streets in these areas. All of the residents who signed the petition are in favour of the requested regulations.

Bay Street North has a 31 foot pavement width, and presently, there is a "No Parking" regulation on the north and west sides and unrestricted parking on the south and east sides of the street in this area. Wood Street has a 26 foot pavement width, and presently, there is unrestricted parking on both sides of the street in this area. The resident who circulated the petition has expressed concern regarding long-term non-resident parking during special events at the new Pier Four and Harbour Front Parks. The implementation of the requested regulations would prohibit non-resident parking and abutting residents would be entitled to purchase permits at a charge of \$12.00 per year to exempt their vehicles from the signed "Permit Parking" regulation.

An investigation has revealed that there are twenty-four legal on-street parking spaces on Bay and Wood in these areas. It was indicated on the petition that 22 permits are required by the abutting residents. There would be two remaining permits for the residents of Nos. 70 and 84 Burlington Street West. Therefore, since the demand for permits does not exceed the number of on-street parking spaces and since 93 percent of the abutting residents are in favour of the requested regulation, the Traffic Department concurs with this request.

  
MT/CVB/ks



HARBOUR HEADLINE

ROYAL HAMILTON  
YACHT CLUB

F-1

555

NORTH

D

F-1/S-838

LEANDER DRIVE

LEANDER  
BOAT CLUB

BAY STREET

WOOD STREET

STREET

STREET

F-1

BURLINGTON

0/S-1176



2(BKixi)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 08

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

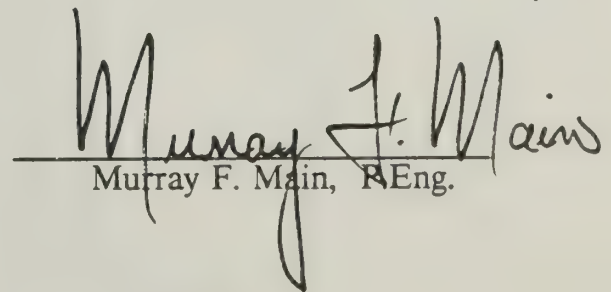
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Montmorency Drive - Parking Regulations. [TEC-214-93]

**RECOMMENDATION:**

- a) That the existing "Alternate Side Parking" regulation on the north leg of Montmorency Drive from end to end be replaced with a "No Parking" regulation on the south side; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P. Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

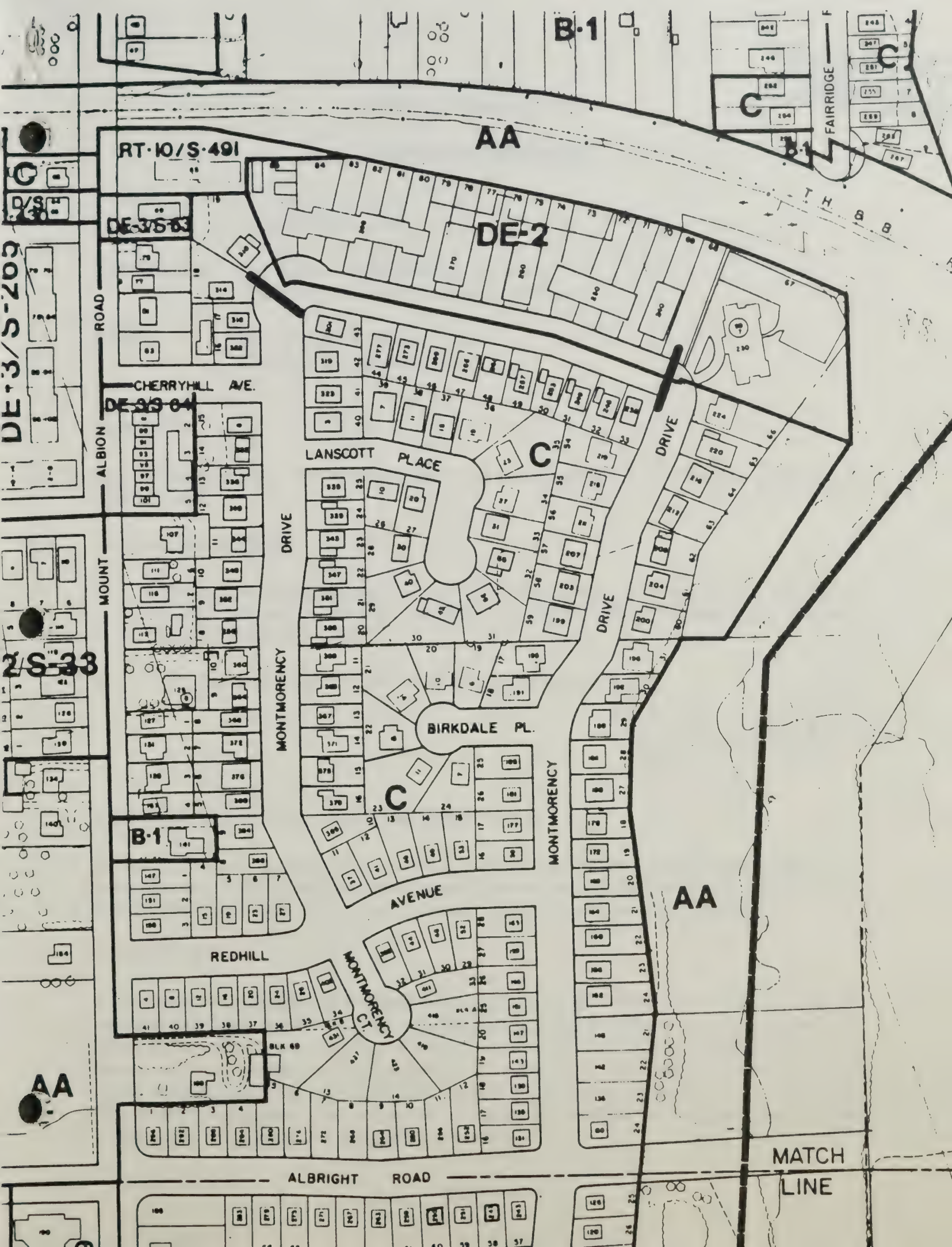
Alderman Fred Eisenberger advised the Traffic Department of a resident's request that the existing "Alternate Side Parking" regulation on the north leg of Montmorency Drive between Nos. 245 and 314 Montmorency, be replaced with a parking prohibition on the south side



to allow parking to occur on the north side on a full time basis. The Traffic Department has since received a petition signed by representatives of nine of the 13 one, two and three family dwellings abutting the street between Nos. 245 and 314 Montmorency, requesting the above-noted parking regulation. All of the residents who signed the petition are in favour of the requested regulation change.

Montmorency Drive has a 28 foot pavement width, and presently, there is an "Alternate Side Parking" regulation on the street in this area. The residents have expressed concern regarding a shortage of on-street parking when parking is permitted on the south side of the street under the existing "Alternate Side Parking" regulation. An investigation has confirmed that there are approximately fifteen more on-street parking spaces on the north side than there are on the south side of the street. Therefore, since 69 percent of the abutting residents of one, two and three family dwellings are in favour of the requested regulation, the Traffic Department concurs with the request.

  
MT/CVB/ks



RT-10/S-491

AA

DE-3/S-63

DE-2

CHERRYHILL AVE.

DE-3/S-64

LANSCOTT PLACE

C

DRIVE

DRIVE

MONTMORENCY

BIRKDALE PL.

MONTMORENCY

AVENUE

AA

REDHILL

MONTMORENCY CT.

BLK 60

ALBRIGHT ROAD

MATCH LINE





2(BX)X

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 08

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

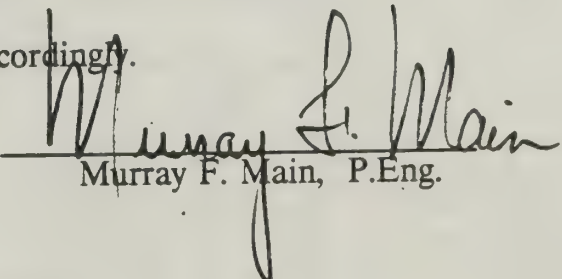
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Spring Street between Hunter Street East and Jackson Street East - Parking Regulations.  
[TEC-215-93]

**RECOMMENDATION:**

- a) That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the east side of Spring Street between Hunter Street East and Jackson Street East; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$24.00 charge for each parking permit would off-set the cost to some degree.

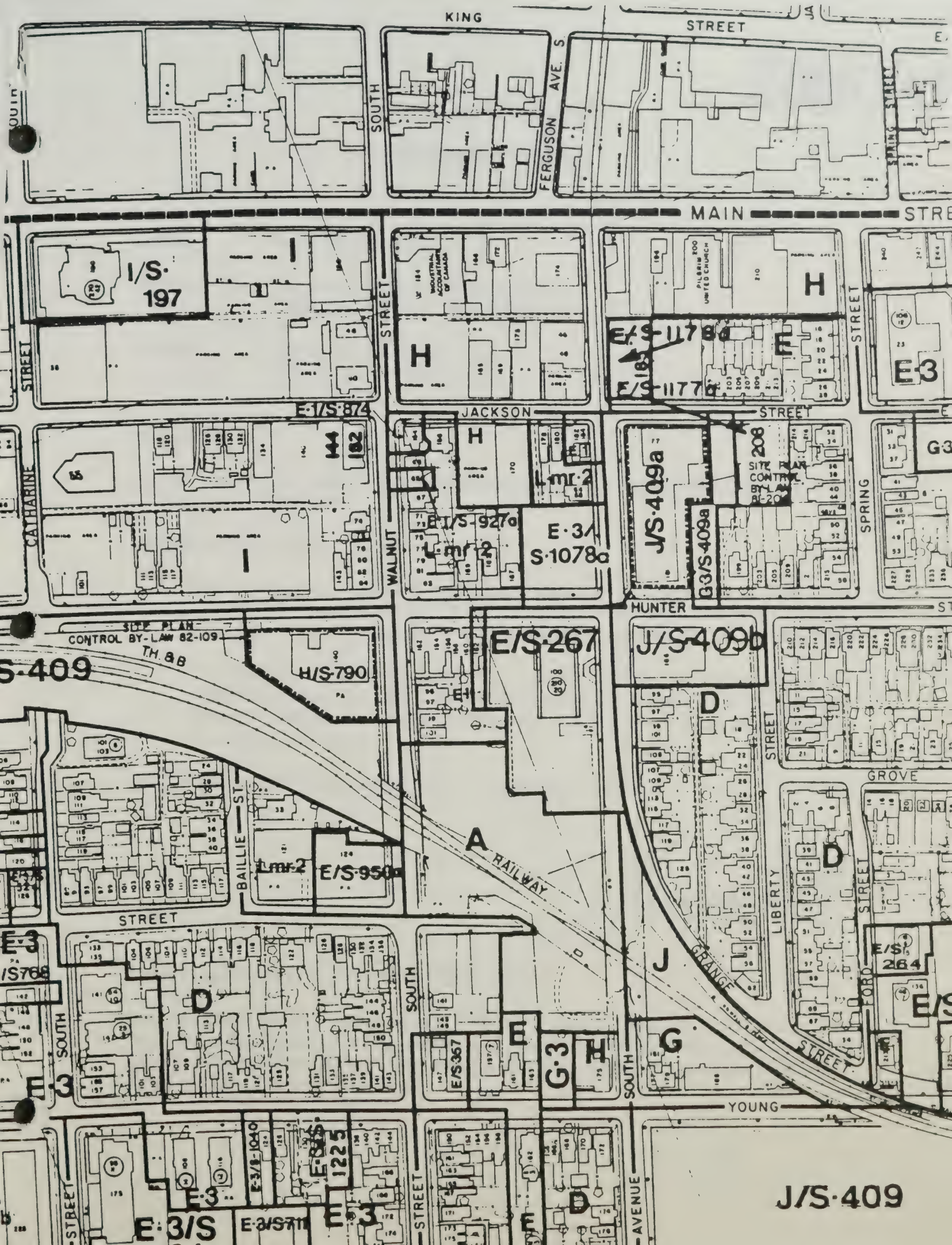
**BACKGROUND:**

The Traffic Department has received a petition signed by representatives of 18 of the 29 one, two and three family dwellings abutting Spring Street between Hunter Street East and Jackson Street East, requesting that a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the east side of the street in this block. All 18 of the abutting residents who signed the petition are in favour of the requested regulation. The Traffic Department has contacted an additional resident in this block and he has advised that he supports the proposed regulation.

Spring has a 30 foot pavement width, and presently, parking is prohibited on the west side and there is unrestricted parking on the east side of the street in this area. The resident who circulated the petition has expressed concern regarding long-term non-resident parking by area employees. The implementation of the requested regulation would reduce long-term non-resident parking in this block and area residents would be entitled to purchase permits at a cost of \$24.00 per permit each year to exempt their vehicles from the signed time limit. Therefore, since 66 percent of the abutting residents are in favour of the requested regulation, the Traffic Department concurs with this request.

MT/CVB/ks









2(BXiXk)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

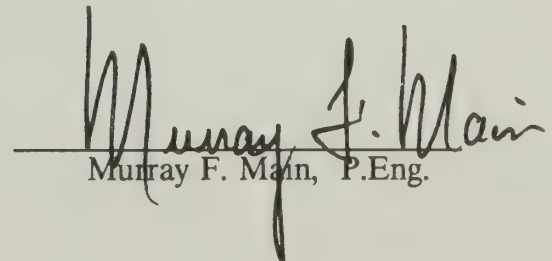
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Crosthwaite Avenue North between Britannia Avenue and Cannon Street East - Parking Regulations. [TEC-216-93]

**RECOMMENDATION:**

- a) That the existing "Alternate Side Parking" regulation on Crosthwaite Avenue North between Britannia Avenue and Cannon Street East be replaced with a "No Parking" regulation on the west side and a "Permit Parking" regulation on the east side; and
- b) That the Director of Traffic Services be authorized to issue one parking permit per residence to Nos. 165, 166, 170 and 172 Crosthwaite Avenue North and No. 264 Britannia Avenue and the additional permit (to a maximum of six) on a first come first served basis; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, there is a potential for \$72.00 in revenue each year from the sale of parking permits which would off-set the cost to some degree.

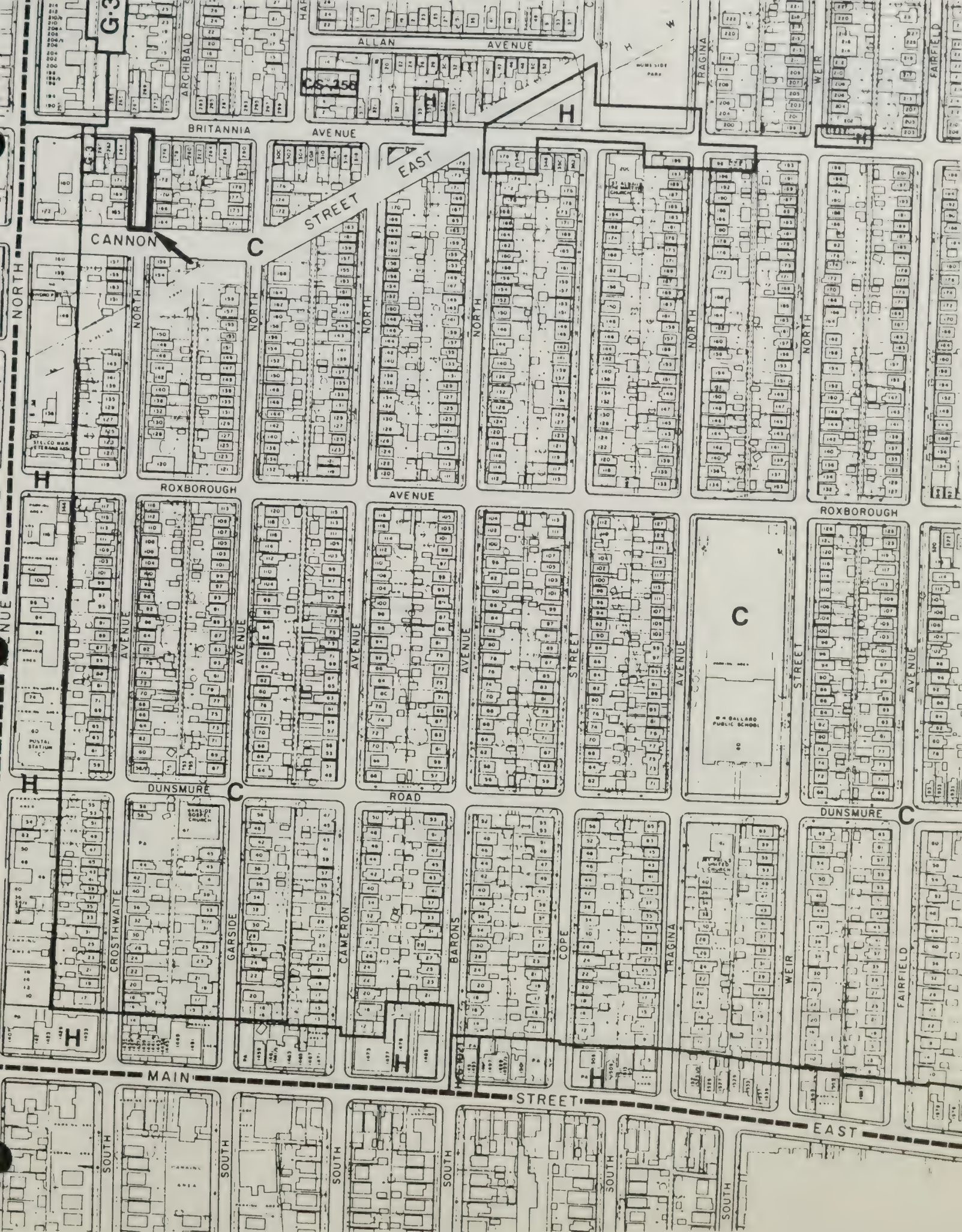
## BACKGROUND:

The Traffic Department has received a petition signed by representatives of eight of the nine one, two and three family dwellings abutting Crosthwaite Avenue North between Britannia Avenue and Cannon Street East requesting that the existing "Alternate Side Parking" regulation be replaced with a "Permit Parking" regulation on the east side and a "No Parking" regulation on the west side of the street in this area.

Crosthwaite Avenue North has a 24 foot pavement width, and presently, there is an "Alternate Side Parking" regulation on the street in this area. An investigation has revealed that there are six legal on-street parking spaces on the east side and only five on the west side of the street in this block. The resident who circulated the petition has expressed concern regarding long-term parking by area residents who do not reside on Crosthwaite. The implementation of the requested regulation would eliminate long-term parking and abutting residents would be eligible to purchase permits at a cost of \$12.00 per permit each year to exempt their vehicles from the signed "Permit Parking" regulation. Therefore, since 89 percent of the abutting residents support the request for a "Permit Parking" regulation, the Traffic Department concurs with the request.

  
MT/CVB/ks









2(BXiX1)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

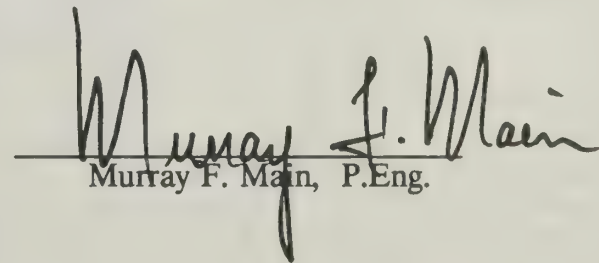
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Apartment Building at No. 611 Concession Street - Application for a Time Limit Exemption Permit. [TEC-217-93]

**RECOMMENDATION:**

That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first six eligible applicants residing in the apartment building at No. 611 Concession Street.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

There is a potential for \$192.00 in revenue each year from the sale of parking permits to residents of this building.

**BACKGROUND:**

The Traffic Department has received a request from a resident of the apartment building at No. 611 Concession Street, that Time Limit Exemption Permits be issued to residents of this building. The subject building is located on the north-west corner of Concession and Viewpoint, and the applicant has advised that he wishes to park his vehicle in the time limit areas in the vicinity of this building.



An investigation has revealed that there are six dwelling units in the subject apartment building, and that there are no off-street parking spaces available on the property. Past practice of the Committee has established a policy that, generally, Time Limit Exemption Permits will be issued to residents of one, two or three family dwellings and to residents of apartment buildings only under exceptional circumstances.

Periodic observations reveal that streets in this area are heavily parked during the day. However, since there has not been a great demand for Time Limit Exemption Permits in this area, it appears that the parking is generally non-resident, short-term parking. Thus, the issuance of Time Limit Exemption Permits to residents of this building should not create any parking problem for other area residents. Therefore, the Traffic Department concurs with this request and it would be appropriate to issue a maximum of six parking permits to the residents of the building on the first come first served basis.

*MT CVB*  
MT/CVB/ks

SHERMAN

ACCESS

AVENUE

MOUNTAIN

CLIFF AVENUE

HAMILTON AVENUE

VIEWPOINT AVENUE

POPLAR AVENUE

STREET

E/S-67

D/S-819

THIRD STREET

FOURTH STREET

FIFTH STREET

SIXTH STREET

SEVENTH STREET

TWENTY STREET

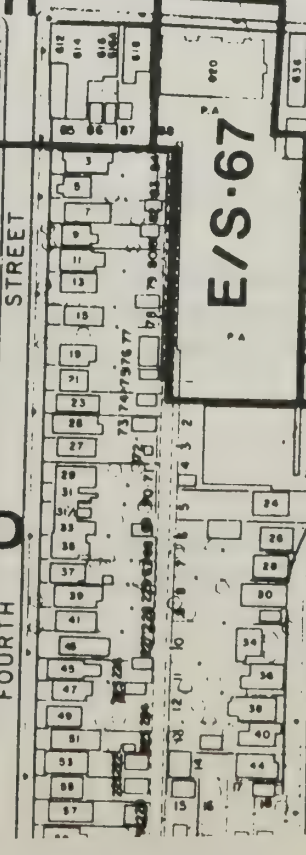
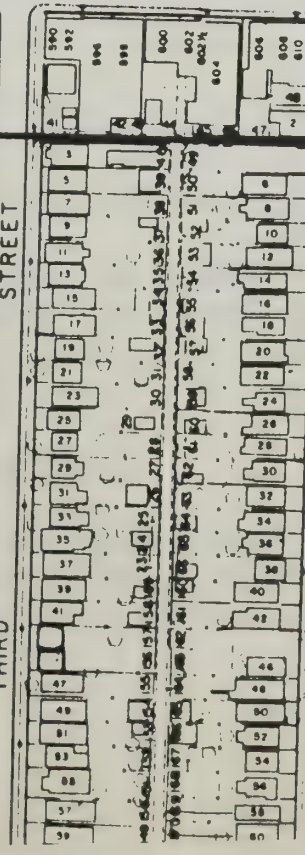
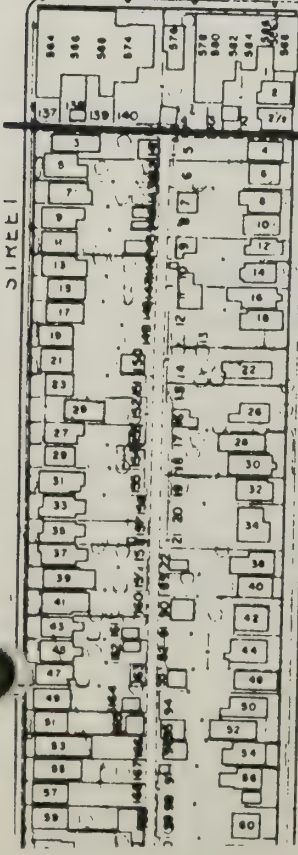
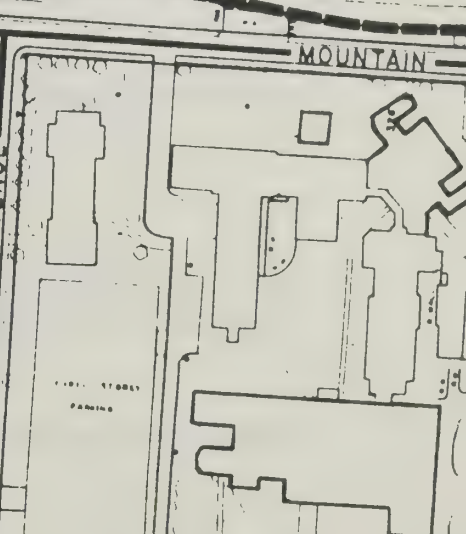
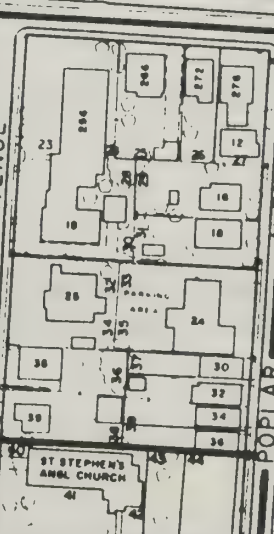
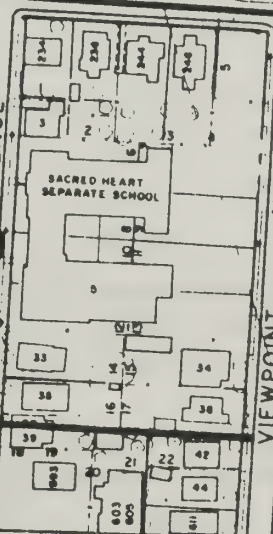
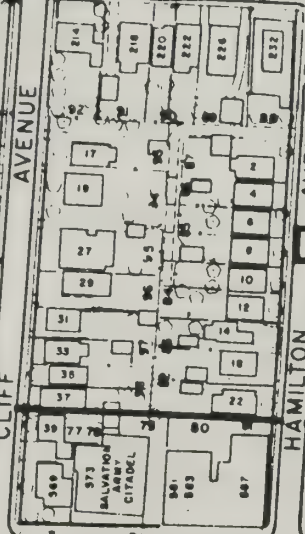
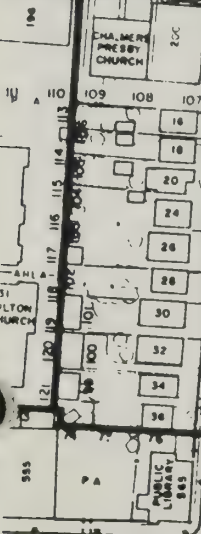
SACRED HEART SEPARATE SCHOOL

ST STEPHEN'S ANGL. CHURCH

CHAMBERS PRESBY. CHURCH

BALDWIN ARMY CITADEL

PARKING







2(Brixm)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

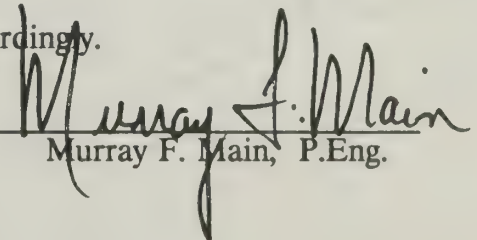
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

No. 95 Bond Street South - Request for a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-218-93]

**RECOMMENDATION:**

- a) That a "Permit Parking" regulation be implemented on the east side of Bond Street South commencing at a point 52 feet south of Marion Avenue and extending to a point 22 feet southerly therefrom; and
- b) That the Director of Traffic Services be authorized to issue one parking permit to Cornelia Prins, No. 95 Bond Street South; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$12.00 annual charge for the parking permit will off-set the cost to some degree.

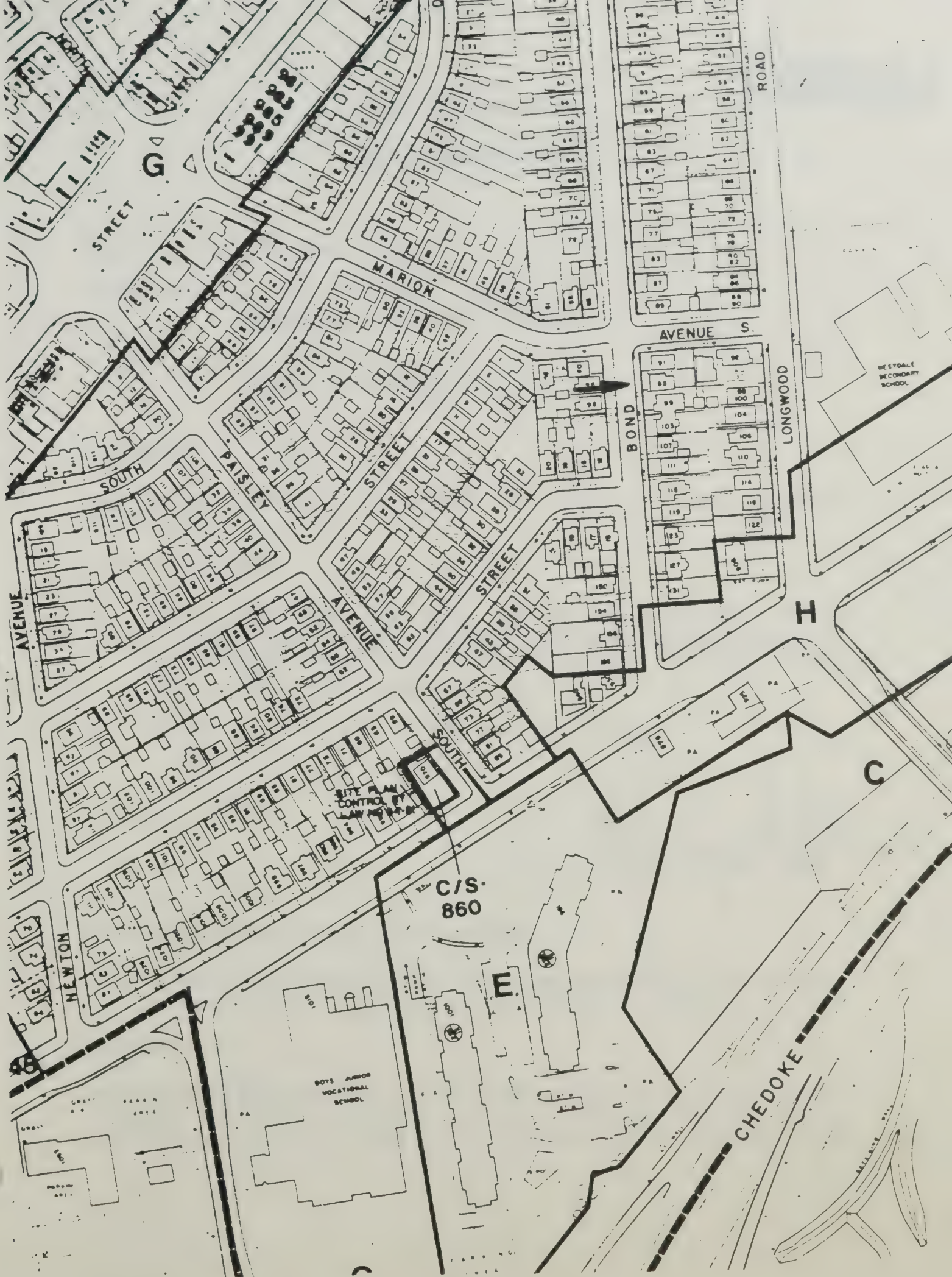
**BACKGROUND:**

The Traffic Department received a request from Cornelia Prins, No. 95 Bond Street South, that a reserved "Permit Parking" space be designated on the east side of Bond in front of her home since she is disabled.

Bond has a 30 foot pavement width, and presently, there is unrestricted parking on the east side and a parking prohibition on the west side of the street in this area.

The City Council, on 1987 December 08, approved a policy to allow for the implementation of individual reserved "Permit Parking" spaces in front of disabled residents homes. This policy requires, in part, that the applicant possess a valid disabled permit issued by the Ministry of Transportation. The Traffic Department has confirmed that Cornelia Prins possesses a valid permit. An investigation has revealed that there is no suitable alternative parking area available on the private property. Therefore, the Traffic Department concurs with the request.

MT/CVB/ks



STREET G

MARION

ROAD

AVENUE S

SOUTH

PAISLEY

STREET

STREET

BOND

LONGWOOD

WESTDALE  
SECONDARY  
SCHOOL

AVENUE

AVENUE

SOUTH

H

C

C/S  
860

E

BOYS JUNIOR  
VOCATIONAL  
SCHOOL

CHEDOKE





26XIXn)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

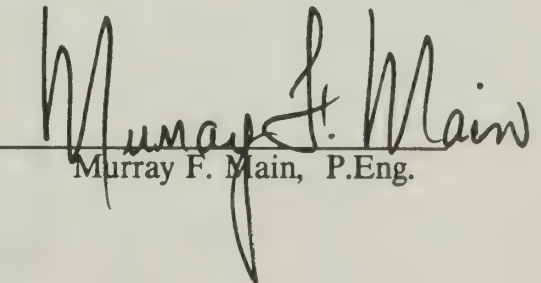
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

East 27th Street between Halam Avenue and Mackenzie Road - Parking Regulations.  
[TEC-219-93]

**RECOMMENDATION:**

- a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of East 27th Street between Halam Avenue and Mackenzie Road be replaced by a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

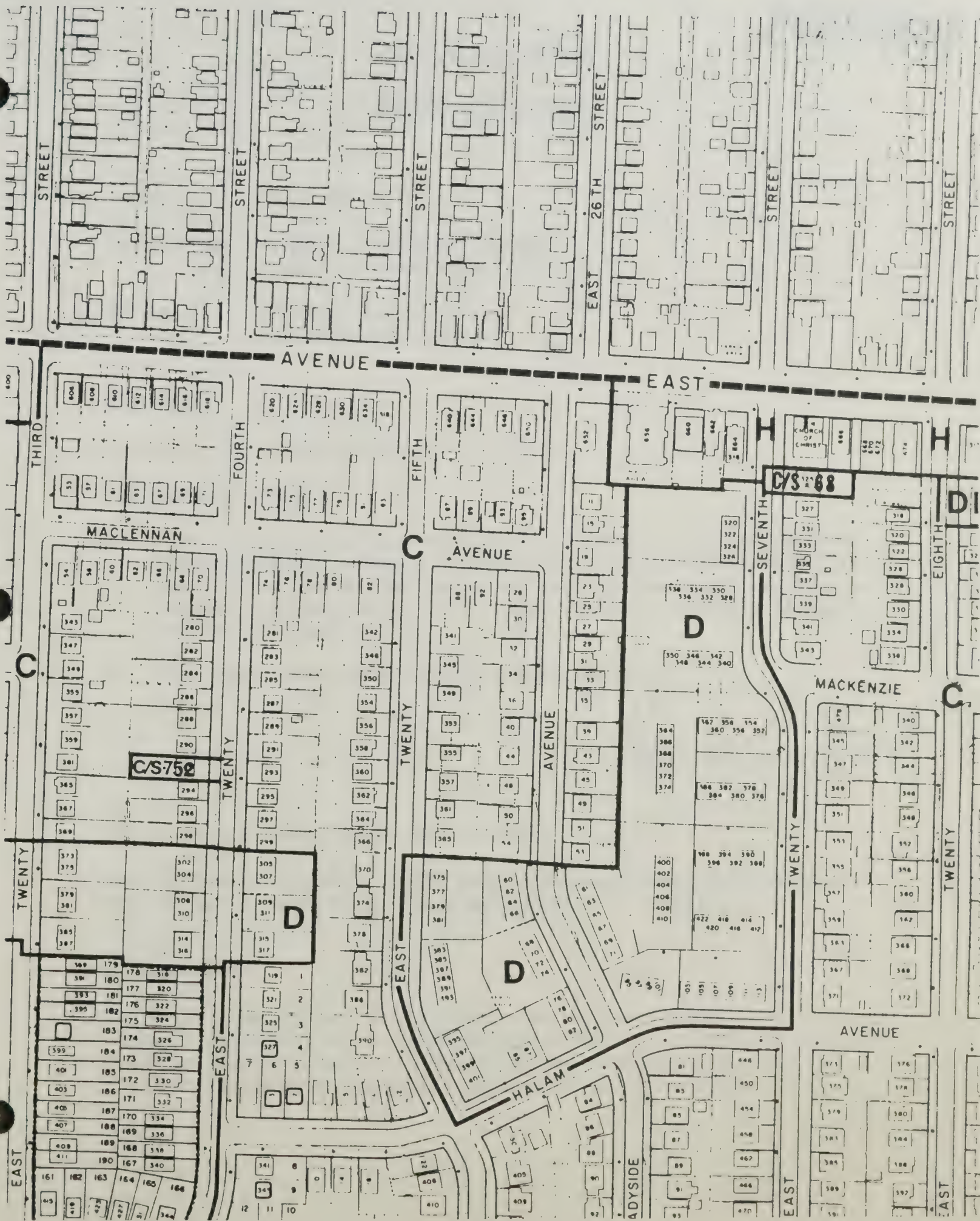
Alderman Henry Merling recently forwarded a petition to a constituent residing at 363 East 27th Street. The Traffic Department has received the petition signed by representatives of ten of the 12 one, two and three family dwellings abutting East 27th between Halam Avenue

and McKenzie Road, requesting that the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of the street be changed to a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation. All ten of the abutting residents who signed the petition are in favour of the requested regulation.

East 27th Street has a 28 foot pavement width, and presently, there is a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side and a "No Parking" regulation on the west side of the street in this area. The resident who circulated the petition has expressed concern regarding long-term parking by residents of the townhouses on the west side of East 27th Street. The implementation of the requested regulation would reduce long-term parking in this area. Therefore, since 83 percent of the abutting residents of one, two or three family dwellings are in favour of the requested regulation, the Traffic Department concurs with this request.

MT/CVB/ks







2(BXiXo)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

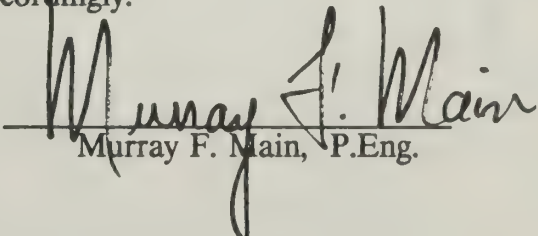
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Whitney Avenue - Parking Regulations. [TEC-221-93]

**RECOMMENDATION:**

- a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Whitney Avenue which commences 117 feet west of Mericourt Road and extends to a point 137 feet westerly therefrom, be changed to a "One Hour Parking Time Limit, 8:00 a.m. to 11:00 p.m., Monday to Saturday" regulation; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

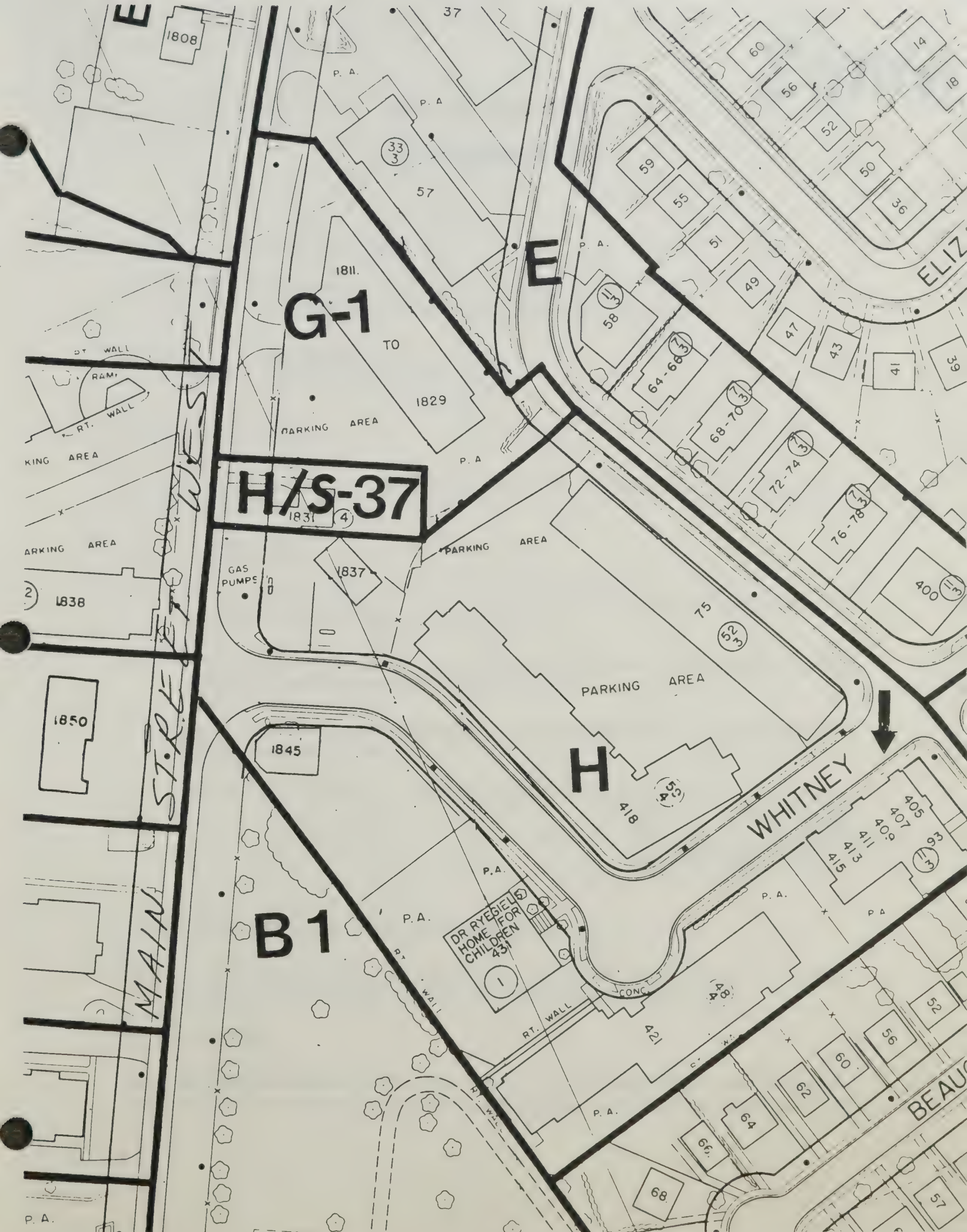
The Traffic Department has received a request from Mr. Abdul Majeed, owner of Crown Variety No. 405 Whitney Avenue, that the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Whitney Avenue, west of Mericourt Road, be changed such that the regulation be in effect until 11:00 p.m.



Whitney has a 38 foot pavement width, and presently, there is a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation as well as a 25 foot "No Parking, 8:00 a.m. to 6:00 p.m., Monday to Saturday" loading zone on the south side and a parking prohibition on the north side of the street in this area.

Mr. Majeed requested this change since his evening store hours extend until 11:00 p.m. Staff has contacted two additional businesses in this block and they have advised that they support the requested change. The two remaining businesses on the south side could not be reached for comment. However, since the majority of businesses on the south side of Whitney support the requested changes to the existing parking regulations, the Traffic Department concurs with the request.

MT/<sup>CVB</sup>/ks







2(BXiXp)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 07

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

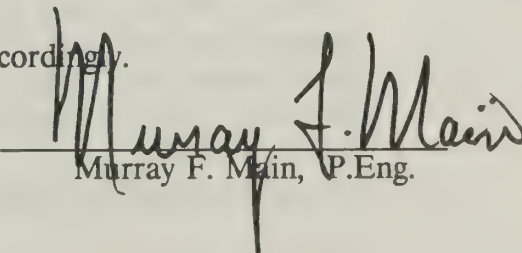
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Various Intersections in the Southerly Portion of the Red Hill Neighbourhood - Intersection Control. [TEC-206-93]

**RECOMMENDATION:**

- a) That northbound traffic on Glen Forest Drive be required to stop for eastbound and westbound traffic on Kingswood Drive; and
- b) That eastbound traffic on Glencannon Drive be required to stop for northbound and southbound traffic on Glen Forest Drive; and
- c) That three-way stop control be implemented at the intersection of Glen Forest Drive and Golfcrest Road; and
- d) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

Alderman Dominic Agostino advised of a request from Mr. Santi, No. 24 Glen Forest, that stop control be implemented at the intersections of Glen Forest Drive and Kingswood Drive

and Glencannon Drive and Glen Forest Drive. The Traffic Department has reviewed these requests as well as stop control in the southerly portion of the Red Hill Neighbourhood.

1. Intersection of Glen Forest Drive and Kingswood Drive

It was requested that stop control be implemented at the intersection of Glen Forest Drive at Kingswood Drive. The subject intersection is a "T" type intersection, and presently, there are no intersection control signs. Therefore, the Traffic Department concurs with the request and recommends that northbound traffic on Glen Forest be required to stop for eastbound and westbound traffic on Kingswood.

2. Intersection of Glencannon Drive and Glen Forest Drive

It was also requested that three-way stop control be implemented at the intersection of Glencannon at Glen Forest. The subject intersection is a "T" type intersection, and presently, there are no intersection control signs. Traffic Department records indicate that there have been no reported collisions at this intersection in the past seven years. This is an excellent collision record for this type of intersection which could not be improved upon by the implementation of three-way stop control.

The Traffic Department has assessed this request and has its usual concerns respecting unwarranted all-way stop control, including the fact that unnecessary stop signs have extremely harmful environmental affects, stop signs have no effect on the speed or volume of traffic, and unwarranted stop signs create disrespect by the motorists to the extent that the compliance with stop signs is deteriorating every year. Therefore, for the above-mentioned reasons, the Traffic Department does not support the request for three-way stop control at this intersection.

The Traffic Department has concluded that none of the criteria for three-way stop control are met at this intersection at this time. However, the Traffic Department is not opposed to the principle of stopping one direction of traffic at "T" type intersections, in lieu of the otherwise applicable "right hand rule", which may not be clearly understood by all motorists. Therefore, the Traffic Department recommends that stop control be implemented at the stem of this "T" type intersection.

3. Intersection of Glen Forest Drive and Golfcrest Road

The intersection of Glen Forest and Golfcrest, which is located one block to the south of Glencannon and Glen Forest, meets at least one of the criteria for an all-way stop in that it is the intersection of two collector roadways for the neighbourhood. Therefore, it would be appropriate to implement three-way stop control at the intersection of Glen Forest and Golfcrest.

 MT/CVB/ks









2(BX)(i)(a)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 07

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

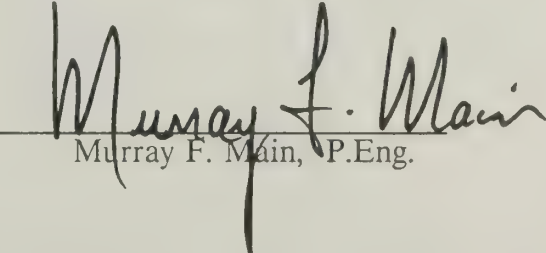
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Southampton Drive and Deerborn Drive - Intersection Control. [TEC-203-93]

**RECOMMENDATION:**

- a) That westbound traffic on Southampton Drive be required to stop for northbound and southbound traffic on Deerborn Drive; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

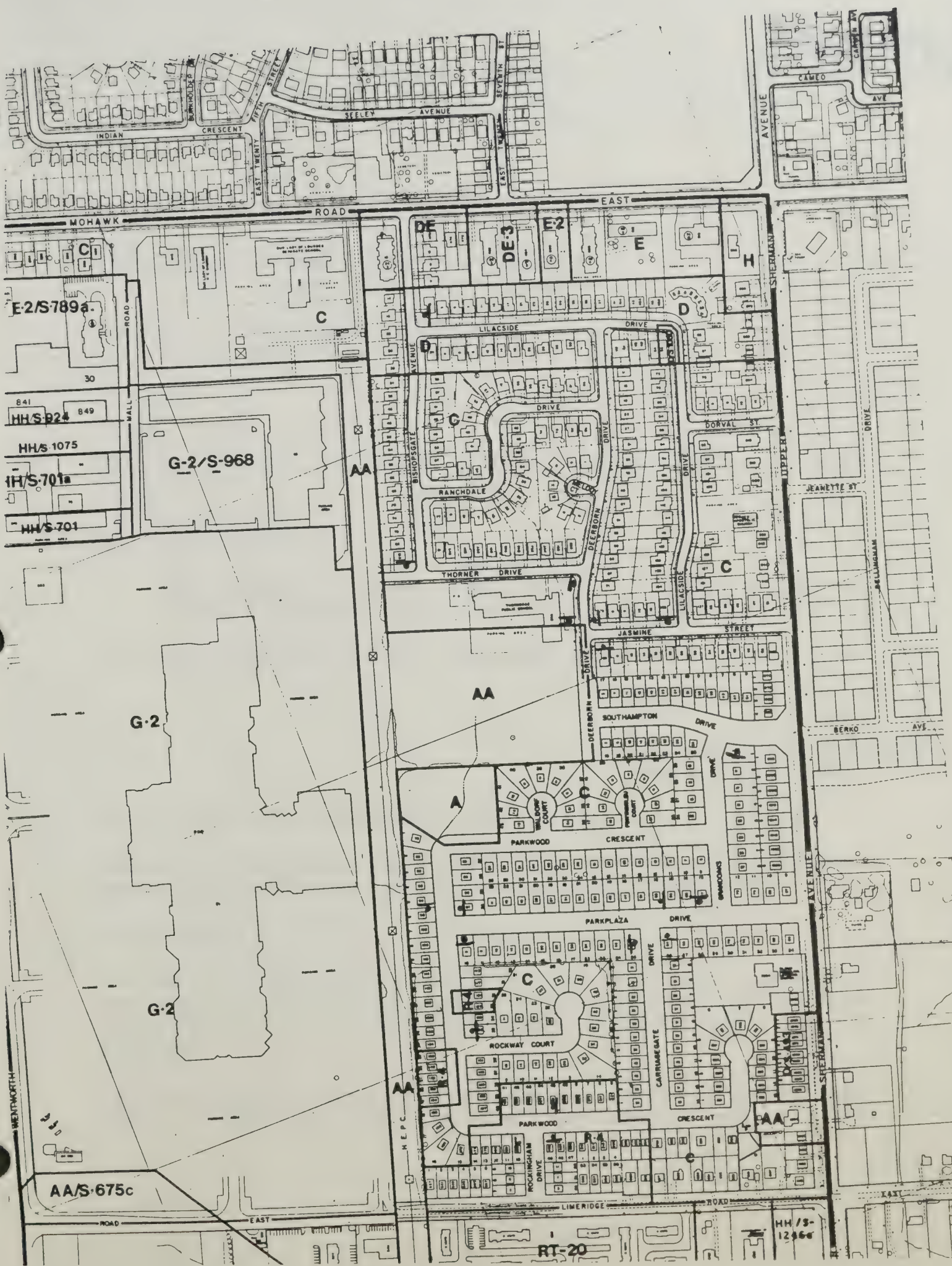
**BACKGROUND:**

Alderman Merling has advised of a request from Mrs. Maura Sheppard, No. 6 Southampton Drive, that stop control be implemented at the intersection of Southampton and Deerborn.

The subject intersection is a "T" type intersection, and presently, there are no intersection control signs. Therefore, the Traffic Department concurs with the request and recommends that westbound traffic on Southampton Drive be required to stop for northbound and southbound traffic on Deerborn Drive.

  
MT/CVB/ks





E-2/S-789a

HH/S-824

HH/S-1075

HH/S-701a

HH/S-701

G-2/S-968

G-2

G-2

AA/S-675c

RT-20

HH/S-1246c



2(B)(ii)(b)

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 September 1

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

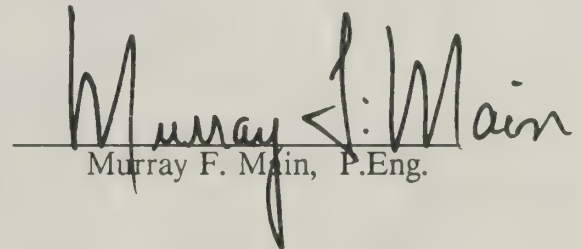
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Glendale Avenue North and Morris Avenue - Intersection Control. [TEC-208-93]

**RECOMMENDATION:**

- a) That eastbound traffic on Morris Avenue be required to stop for northbound/southbound traffic on Glendale Avenue North; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are available in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

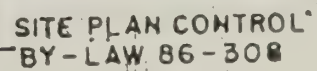
Alderman Bernie Morelli recently contacted the Traffic Department and requested an investigation into the need for three-way stop control at the intersection of Glendale and Morris. This intersection is a "T" type intersection, and presently, there are no intersection control signs.

The Traffic Department concluded that three-way stop control is not warranted at this location, but supports the principle of stopping one direction of traffic at "T" type



intersections, in lieu of the otherwise applicable "right-hand-rule", which may not be clearly understood by all motorists. Therefore, the Traffic Department recommends that eastbound stop control be implemented at the intersection of Glendale and Morris.

MH/ca







2(BXii)(c)

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 September 1

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

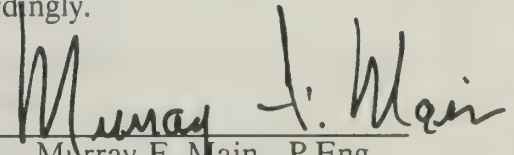
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Norma Jean Avenue and Eaglewood Drive - Intersection Control. [TEC-209-93]

**RECOMMENDATION:**

- a) That southbound traffic on Norma Jean Avenue be required to stop for eastbound and westbound traffic on Eaglewood Drive; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

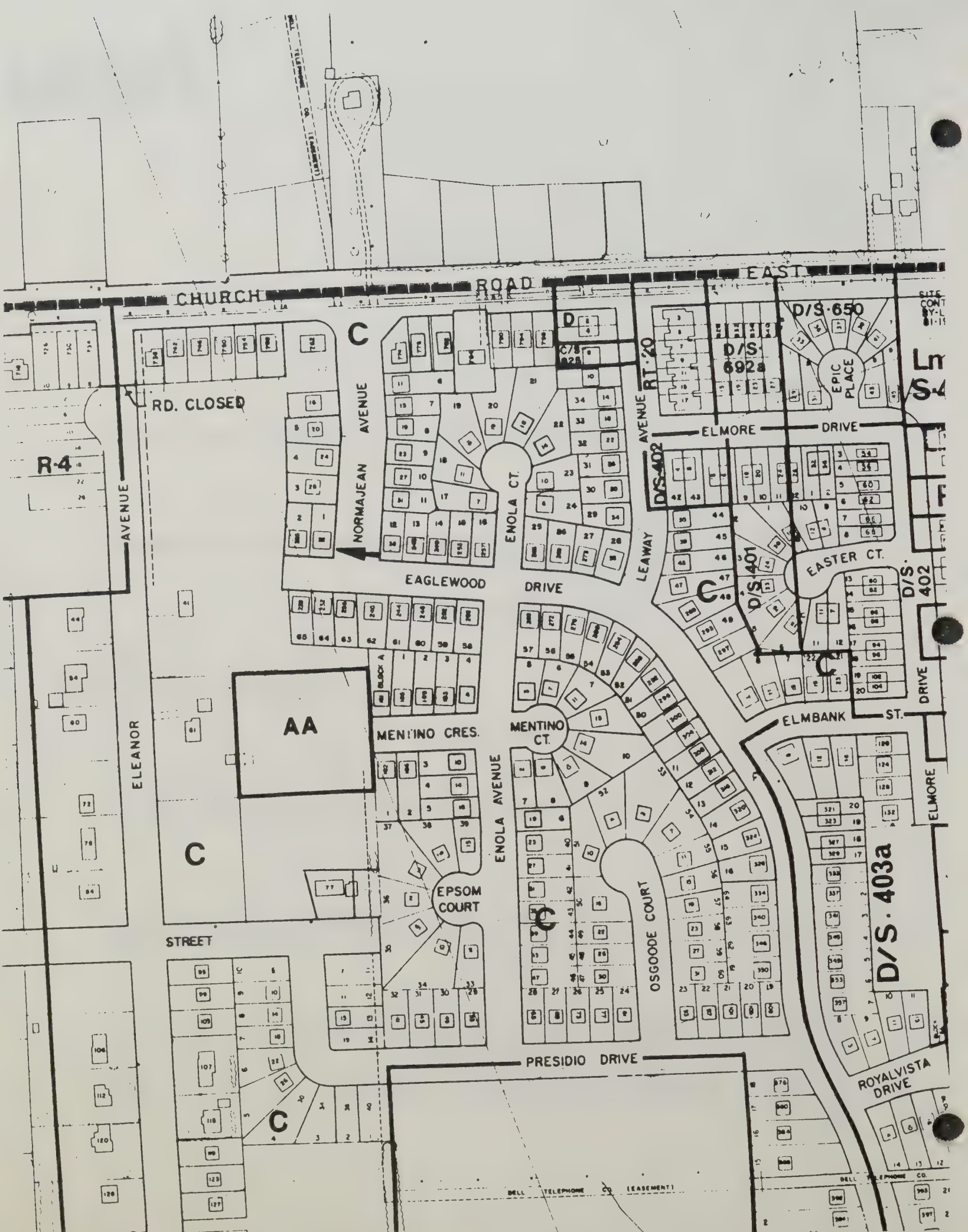
Sufficient funds have been provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required stop sign.

**BACKGROUND:**

At a recent neighbourhood meeting convened by Alderman Henry Merling and Alderman Terry Anderson, one area resident requested that a stop sign be erected on the stem of the "T" intersection of Norma Jean and Eaglewood.

Presently, there are no intersection control signs at the subject intersection, and there have been no reported collisions at this intersection since its recent construction. However, the Traffic Department supports the principle of stopping one direction of traffic at "T" type intersections in lieu of the otherwise applicable "right-hand-rule", which may not be clearly understood by all motorists. Therefore, the Traffic Department concurs with this request.

MH/ca



26XiiX4)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 08

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

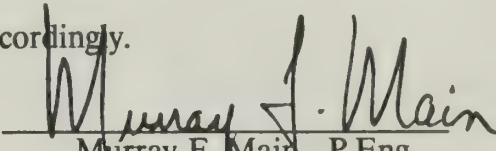
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Eleanor Avenue between Rymal Road East and Stone Church Road East - Intersection Control. [TEC-211-93]

**RECOMMENDATION:**

- a) That northbound and southbound traffic on Eleanor Avenue be required to stop for eastbound and westbound traffic on Dulgaren Street; and
- b) That northbound and southbound traffic on Eleanor Avenue be required to stop for eastbound and westbound traffic on Brenda Street; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

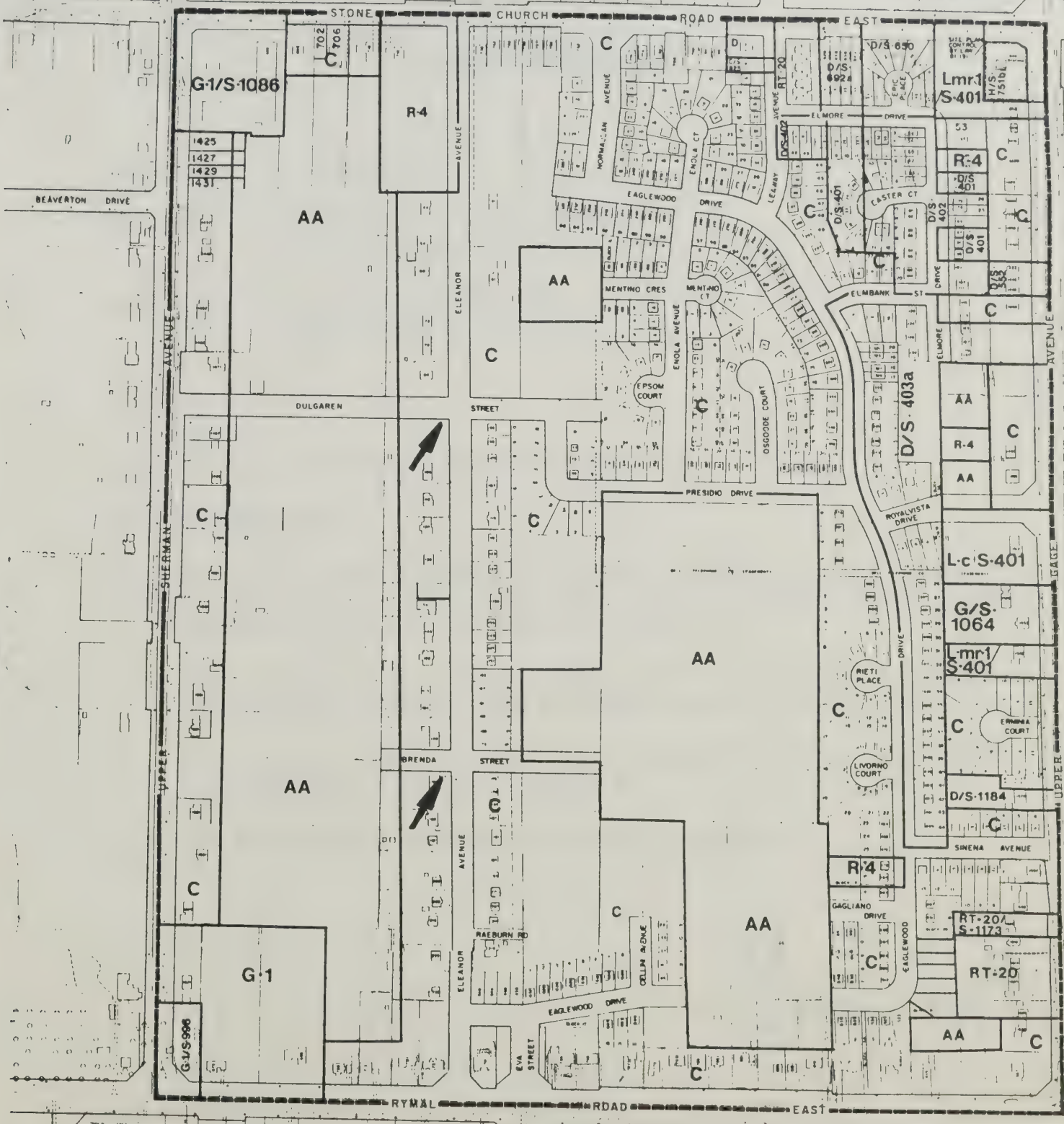
**BACKGROUND:**

Alderman Terry Anderson recently requested that the Traffic Department investigate the feasibility of implementing stop control on Eleanor Avenue between Rymal Road East and Stone Church Road East since motorists are speeding on Eleanor. Although no specific location was suggested, presently, there are two four-leg intersections along Eleanor, one at Dulgaren and the other at Brenda.



The intersections of Eleanor and Brenda and Eleanor and Dulgaren are both four-leg intersections, and presently, there are no intersection control signs. Therefore, the Traffic Department concurs with the request and recommends that northbound and southbound traffic on Eleanor be required to stop for eastbound and westbound traffic on Dulgaren and at Brenda.

  
MT/CVB/ks







2(B)(iii)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 30

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

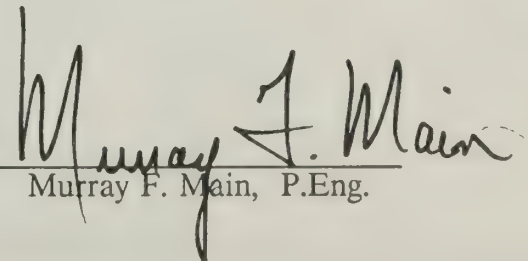
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Solomon Crescent - Parking Regulations/Intersection Control. [TEC-201-93]

**RECOMMENDATION:**

- a) That a "No Parking" regulation be implemented on the south and west sides of Solomon Crescent commencing at a point 126 feet east of Jamie-Ann Court and extending to a point 180 feet southeasterly therefrom; and
- b) That westbound traffic on Solomon Crescent (north leg) be required to stop for northbound and southbound traffic on Solomon Crescent (west leg); and
- c) That northbound traffic on Aries Court be required to stop for eastbound and westbound traffic on Solomon Crescent; and
- d) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

## BACKGROUND:

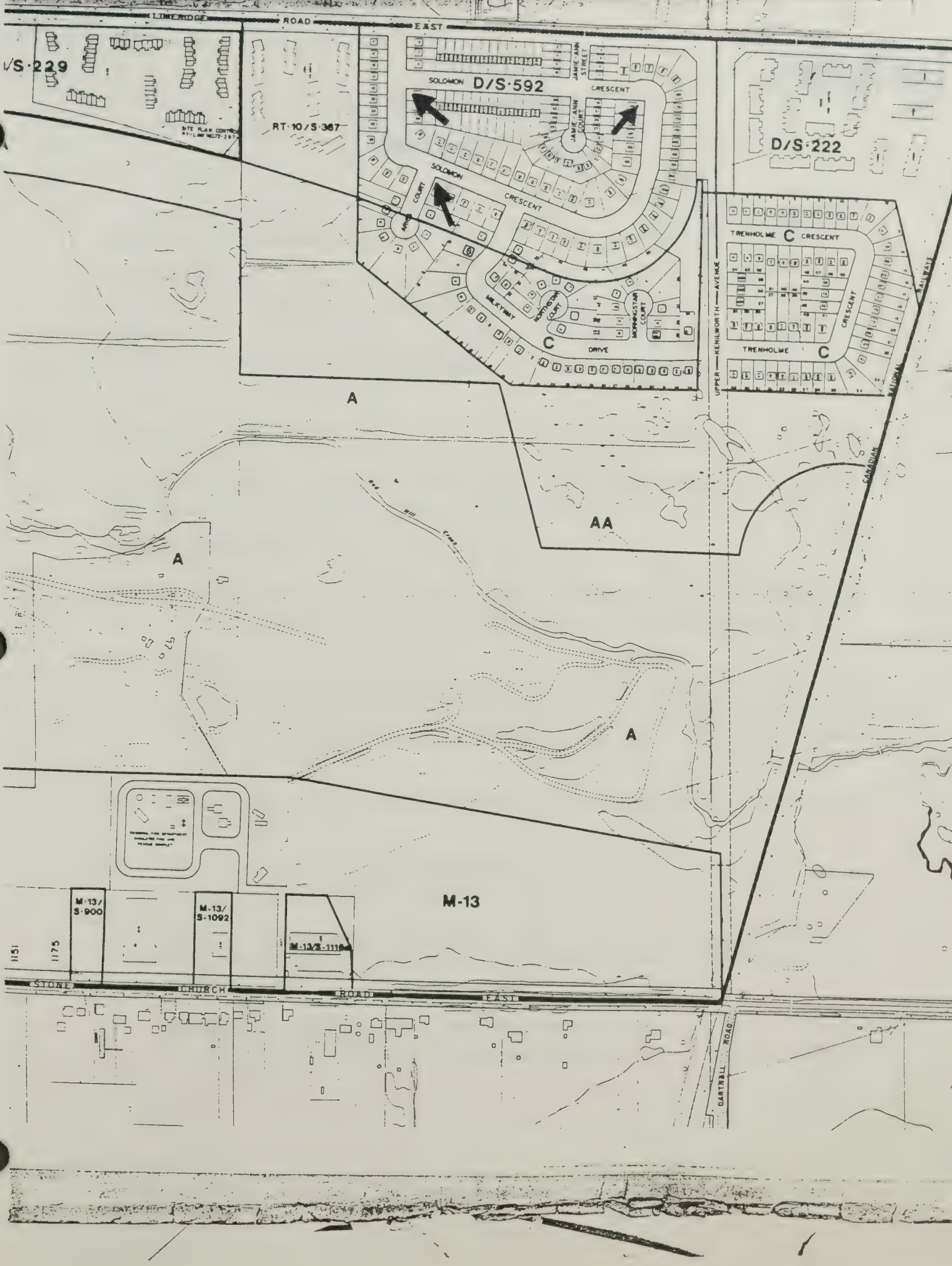
Alderman Tom Jackson recently asked the Traffic Department to contact a few residents of Solomon Crescent to discuss their concerns regarding parking regulations and intersection control on Solomon Crescent.

One resident requested stop control at the intersection of Aries and Solomon, one requested stop control at Solomon (north leg) and Solomon (west leg), the other requested that parking be prohibited on the 90 degree turn in the roadway adjacent to No. 175 Solomon Crescent.

Both intersections are "T" type intersections, and presently, there are no intersection control signs. Therefore, the Traffic Department concurs with the request and recommends that traffic on the stem of these "T" type intersections be required to stop for the through traffic on the top of the "T".

Solomon has a 28 foot pavement width, and presently, there is unrestricted parking on both sides of the street in this area. The Traffic Department supports the principal of removing parking from one side of narrow streets such as this in order to facilitate traffic flow and driveway movements. The Traffic Department contacted the resident at No. 175 Solomon, whose property abuts the inside of the curve in the roadway, and the resident has advised that although her husband opposes the requested regulation, she supports it. Therefore, in the interest of public safety and since virtually all area residents have available off-street parking, the Traffic Department does not anticipate any parking difficulties and concurs with the request.

  
MT/CVB/ks



D/S-229

SITE PLAN CONTROL  
RT-LAW NO. 7-207

RT-10/S-367

ROAD EAST

SOLDOM D/S-592

CRESCENT

D/S-222

TRENHOLME C CRESCENT

TRENHOLME C

A

AA

A

M-13

M-13/  
S-900

M-13/  
S-1092

M-13/S-1116

1151

1175

STONE

CHURCH

ROAD

ROAD EAST

DARTMOUTH ROAD





2(BXiv)

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 September 08

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** Mr. M. F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Application to lease a portion of the boulevard of Canada Street adjacent to Nos. 106 and 108 Canada Street, Calabria Supermarket. [TEC-116-93]

**RECOMMENDATION:**

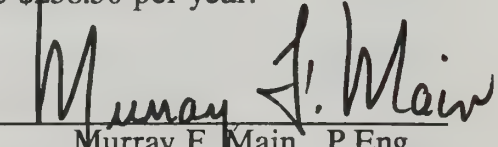
That the application of 414028 Ontario Limited to lease a portion of the boulevard of Canada Street adjacent to Nos. 106 and 108 Canada Street be approved, provided that:

- i) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$59.57 per space per year for the first two spaces and \$29.79 for any additional spaces up to ten) plus taxes, if any, in addition to the \$10.00 encroachment insurance charge approved by the City Council on 1984 February 14.
- ii) the owner pays a one time \$50.00 registration fee, as approved by the City Council on 1986 January 14.
- iii) the owner pays a one time \$191.24 (including G.S.T.) processing fee, as approved by the City Council on 1988 January 12.
- iv) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
- v) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.

- vi) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Revenue from the leasing of this City boulevard would be \$238.30 per year.

  
Murray F. Main, P.Eng.

**BACKGROUND:**

No. 414028 Ontario Limited has applied for permission to lease a portion of the road allowance of Canada Street adjacent to the commercial property at Nos. 106 and 108 Canada Street to park six vehicles.

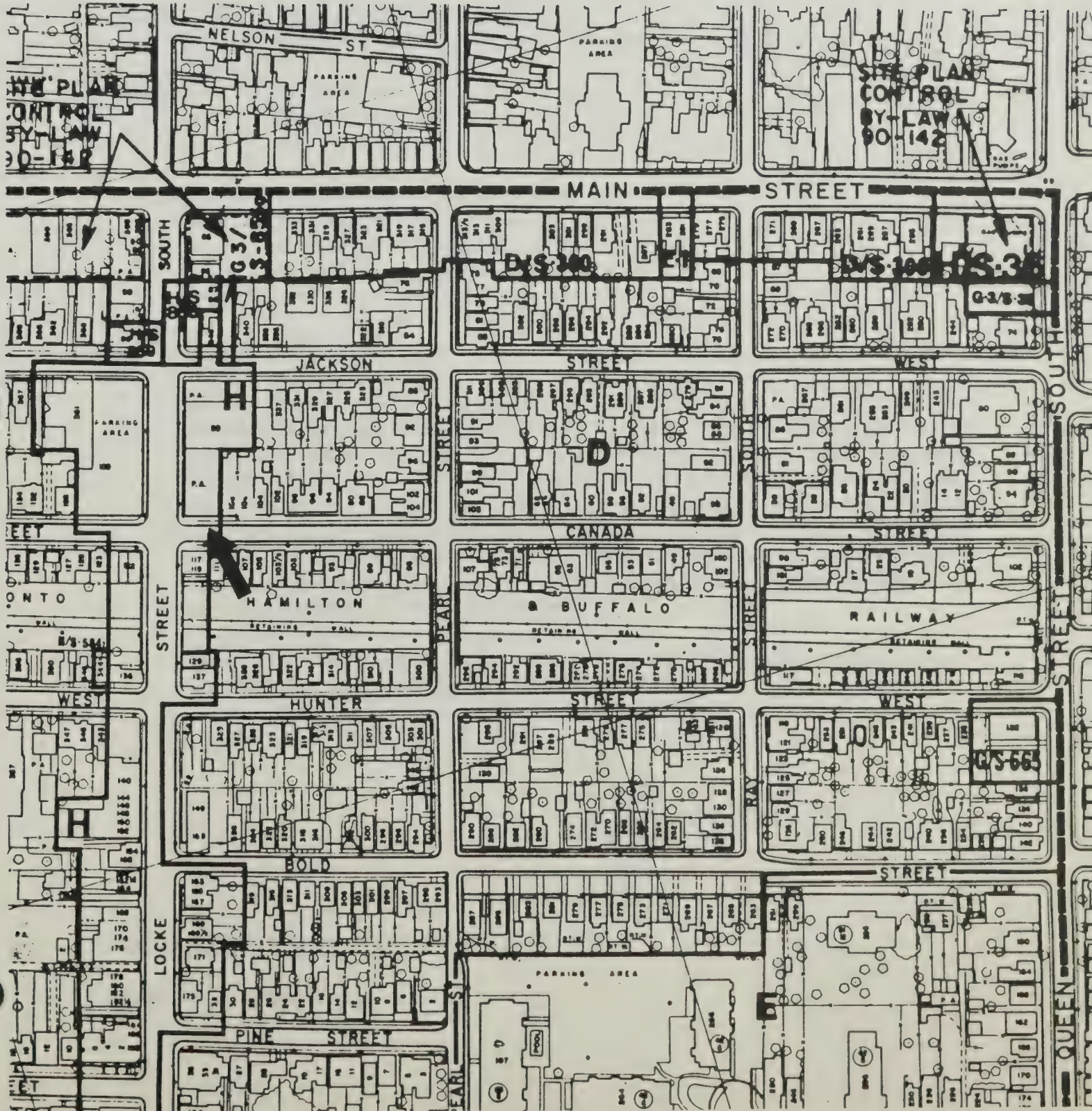
The application has been reviewed by the Traffic Department, and it has been determined that boulevard parking in this area would be satisfactory, provided that certain conditions are met by the applicant and the required boulevard parking agreement is executed by the applicant and by the City.

The applicant has forwarded a completed agreement which is satisfactory to the Traffic Department as well as a cheque in the amount of \$506.22 which represents the first annual leasing fee \$254.98 (including G.S.T.) and encroachment insurance \$10.00, as well as the one time registration fee \$50.00 and one time processing fee \$191.24 (including G.S.T.).

CVB/MH/ca

cc: Ms. Patrice Noe Johnson  
City Solicitor







2(c)(i)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 26

**REPORT TO:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** D. W. Vyce  
Director of Property

**SUBJECT:** Purchase by the Region of Part 3,  
Plan 62R-12601 from the City of  
Hamilton for Freeway Purposes  
Upper Wentworth Street, Hamilton

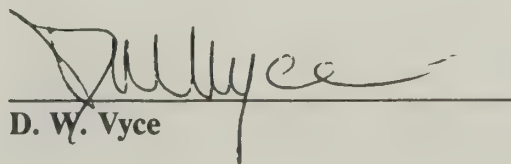
RECEIVED

AUG 27 1993

CITY CLERKS

**RECOMMENDATION:**

- a) That an Offer to Purchase, executed by Regional Officials, on August 25, 1993, and scheduled for closing on or before November 8, 1993, for the purchase by the Region of the lands composed of part of Lot 10, Concession 7, formerly in the Geographic Township of Barton, now in the City of Hamilton, shown as Part 3 on Plan 62R-12601, containing 1,343.8 square metres (0.332 acres) more or less, be approved and completed and the funds derived from this sale of \$33,200 be credited to Account No. CH 4X501 00201 (Reserve Fund - Acquisition of Parklands). Subject property is located on the east side of Upper Wentworth Street, south of Limeridge Road East and forms part of T. B. McQuesten Park.
- b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

  
D. W. Vyce

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

See above recommendation.



**BACKGROUND:**

Subject parcel of land is required by the Region for Freeway purposes, and forms part of T. B. McQuesten Park.

AC/nw  
Attach.

c.c. P. Noé Johnson, City Solicitor

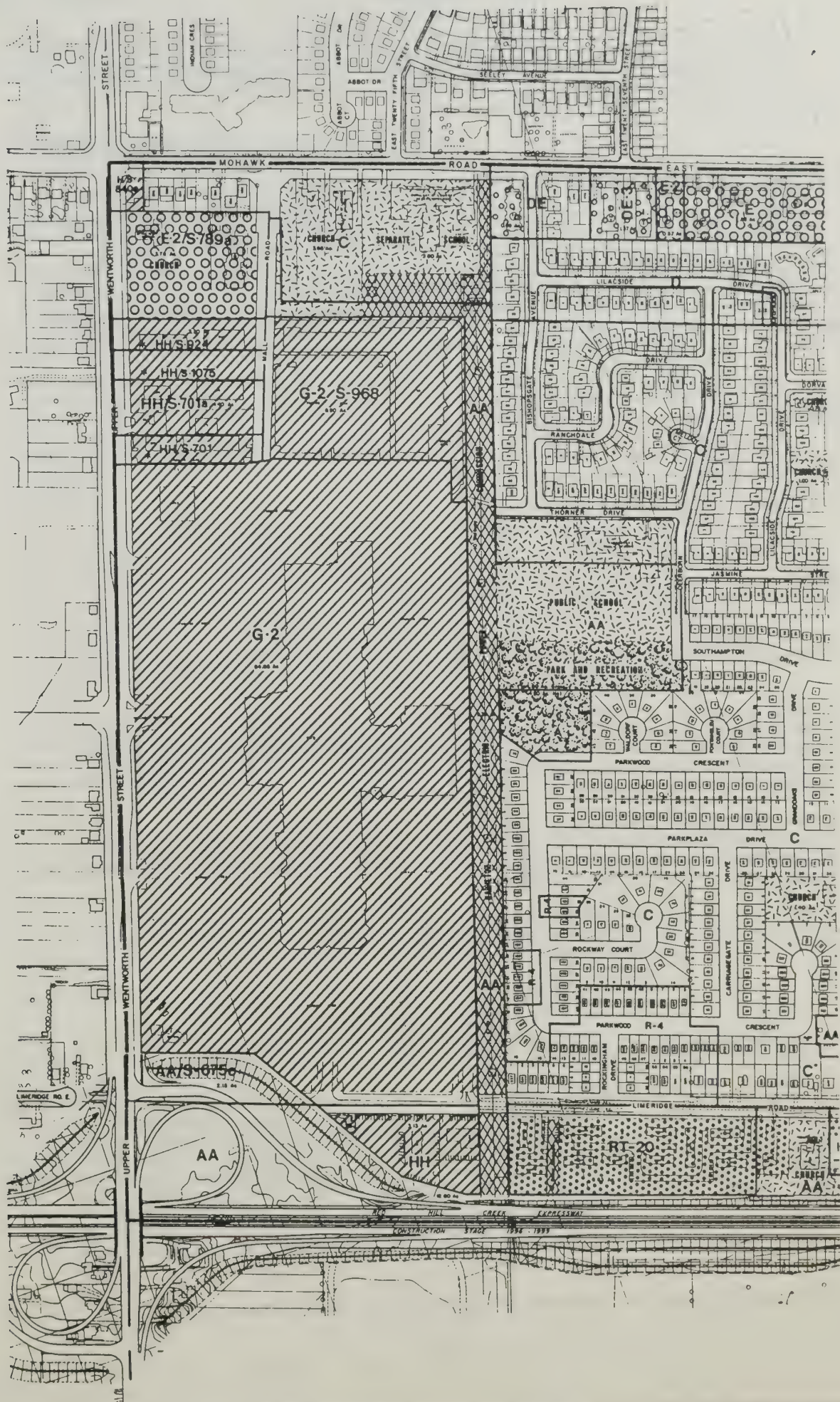
Allan C. Ross, Treasurer, Treasury Department

C. Bandurka, Property Clerk, Surveys, Roads Department

John van der Mark, Director, Special Projects Office, Roads Department

D. Lobo, Director of Public Works, Public Works Department

**Attention: R. Chrystian**



NOTE: This is a GUIDE PLAN only and is subject to change.  
For details contact the local planning division of the Regional  
Municipality of Hamilton-Wentworth.

## LAND USE RESIDENTIAL

Neighbourhood  
Zoning Boundaries



OFFER TO PURCHASE

I/We THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH of the City of Hamilton,  
in the Regional Municipality of Hamilton-Wentworth,

hereinafter called the Purchaser,

hereby agree to and with THE CORPORATION OF THE CITY OF HAMILTON,

hereinafter called the Vendor,

to purchase all and singular that certain parcel or tract of land and premises situate in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth and being composed of part of Lot 10, Concession 7, formerly in the geographic Township of Barton, now in the City of Hamilton, shown as Part 3 on Plan 62R-12601, containing 1,343.8 square metres (0.332 acres) more or less. Subject parcel forms part of T. B. McQueston Park.

at the price of THIRTY-THREE THOUSAND TWO HUNDRED ----- DOLLARS (\$33,200.00)  
of lawful money of Canada, payable as follows:-

- (a) A deposit of DOLLARS (\$) )  
by certified cheque payable to the Vendor.
- (b) The balance of the purchase price namely DOLLARS (\$) )

with interest as hereinafter provided, and subject to adjustments,  
by certified cheque on the closing of this transaction.

Provided that this Offer to Purchase is subject to the following conditions:-

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the 5th day of October, 1993, by a letter mailed or delivered to the Purchaser at c/o Mr. R. Roszell, Commissioner and Corporate Counsel, Regional Municipality of Hamilton-Wentworth, Legal Services Department, One James Street South, 8th Floor, P.O. Box 910, Hamilton, Ontario L8N 3V9.
2. In the event that this Offer is not accepted, this Offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
4. The title is good and free from all encumbrance, except as to any registered restrictions or covenants.
5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed thirty days from the date of acceptance of such Offer to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and it shall not be liable for any damages or costs. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.
7. This transaction shall be closed on or before the 8th day of November, 1993.



8. On the closing of this transaction, the Vendor will convey the said lands to the Purchaser by a good and sufficient deed thereof in fee simple, free and clear of dower rights and all encumbrances, except as to any registered restrictions or covenants, and shall deliver vacant possession of the said lands to the Purchaser free of all tenancies.
9. The Purchaser shall assume taxes, local improvements, water and sewer rates from the date set out in paragraph 7 hereof.
10. Pending completion of this transaction, the Vendor will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the Purchaser may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Offer whether accepted or not and have all monies theretofore paid returned without interest.
11. The deed or transfer is to be prepared at the expense of the Vendor. If the Vendor is a Trustee the deed or transfer is to contain trustee covenants only.
12. This agreement and its acceptance is to be read with all changes of gender or number required by the context.
13. In the event of failure of the Purchaser to complete this transaction by the date set out in paragraph 7 hereof, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.
14. Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.
15. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Time shall be of the essence of this Agreement, which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

DATED at *the City of Hamilton* this *25th* day of *August* 19 *93*.

SIGNED, SEALED AND DELIVERED ) THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

in the presence of

) CHAIRMAN

) CLERK

) COMMISSIONER OF FINANCE

) THE CORPORATION OF THE CITY OF HAMILTON

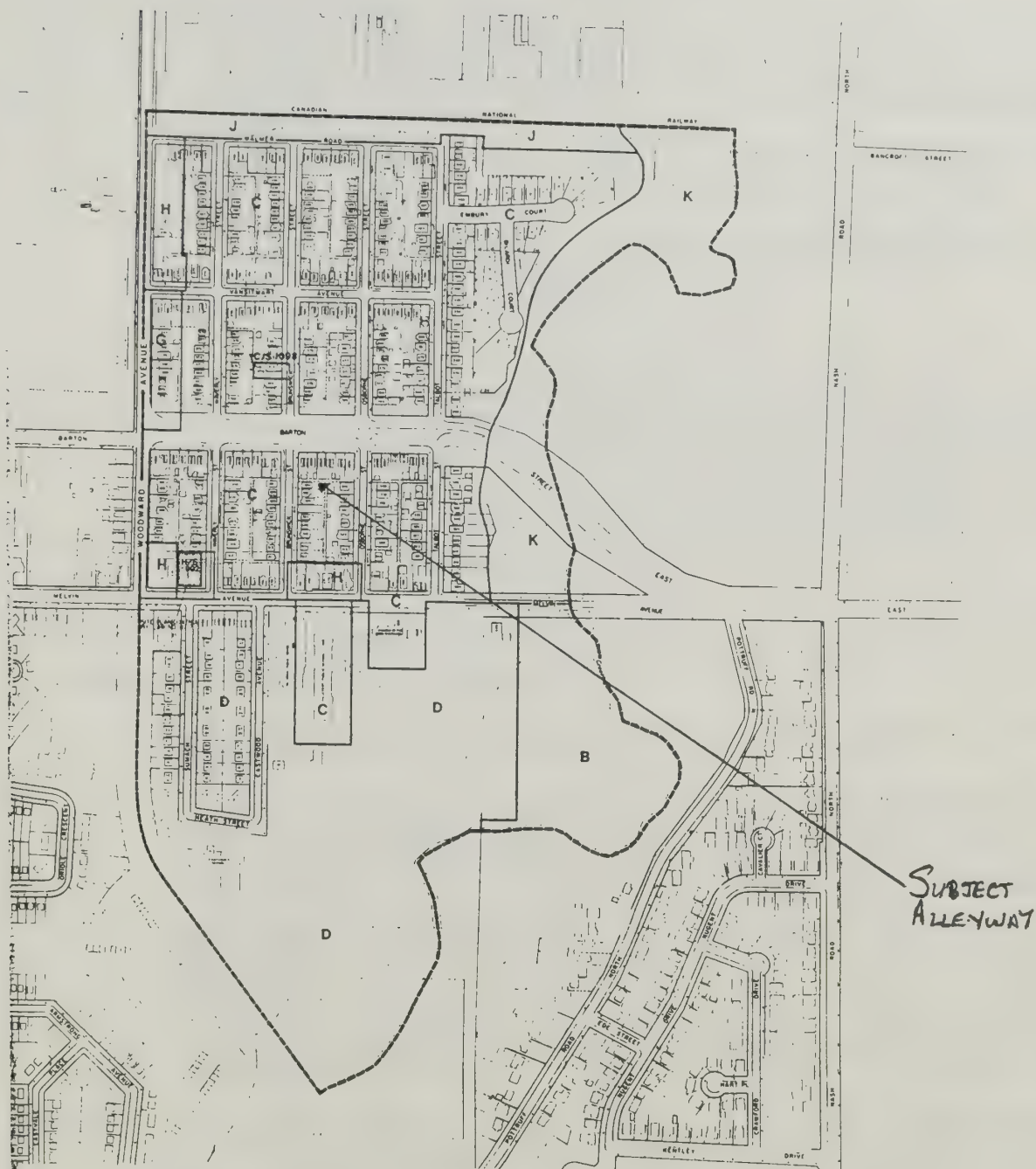
) MAYOR

) CLERK

DATE *July 20/93*  
REPORT *8-93* ITEM *16 TSC*  
INTL *PS* YEAR/FILE *93-319*

Approved  
as to form  
Legal  
Services





<div data-bbox="858 1732 943 1817"> 109 108 104  100 99 104  100 85 85 </div> <div data-bbox="820 1827 975 1870"> This is not a Legal Document  For Zoning Verification Please  Contact City Building Department </div>	<div data-bbox="1067 1747 1219 1849"> CITY OF HAMILTON  McCousten East  ZONING </div>
<div data-bbox="783 1881 959 1917"> Neighbourhood Boundary  Zoning Boundary </div> <div data-bbox="804 1923 991 1959"> Prepared for The City of Hamilton  by the Planning and Development Department  at The Regional Municipality of Hamilton Wentworth </div>	<div data-bbox="1023 1881 1235 1917"> 0 50m 100m  SCALE </div> <div data-bbox="1023 1923 1235 1959"> PLANNING UNIT NO. 6511  JANUARY 1990  PAGE NO. 99 </div>



OFFER TO PURCHASE  
(HIGHWAY CLOSURE)

We TERRY GRANT OIKAWA  
CAROL ANNE OIKAWA

of the City of Hamilton,

in The Regional Municipality of Hamilton-Wentworth,

hereinafter called the Purchaser,

hereby agree to and with THE CORPORATION OF THE CITY OF HAMILTON,

hereinafter called the Vendor or the City,

to purchase all and singular that certain parcel or tract of land and premises situate in the City of Hamilton in The Regional Municipality of Hamilton-Wentworth and being composed of part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593, (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a length of 10.668 metres (35.0 feet) more or less, and comprising a total area of 16.257 square metres (175.0 square feet) more or less, designated as Part 1 on Reference Plan 62R-11618, and lying directly south of municipal address 2054 Barton Street East.

at the price of ONE----- DOLLARS (\$1.00)  
of lawful money of Canada, subject to adjustments, on the closing of this transaction.

Provided that this Offer to Purchase is subject to the following conditions:-

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the 5th day of October 1993, by a letter mailed or delivered to the Purchaser at 2054 Barton Street East, Hamilton, Ontario L8H 2Z4 Attention: Terry Grant Oikawa and Carol Anne Oikawa.
2. In the event that this Offer is not accepted, this Offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
4. The title is good and free from all encumbrance, except as to any registered restrictions, covenants and those easements contemplated herein.
5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed thirty days from the date of acceptance of such Offer to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs. Save as to any valid objection made within thirty days, the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.
7. (a) This transaction shall be closed within 30 days after the conditions in this Offer (and in its Schedules, if any) have been fulfilled to the satisfaction of the City;

- (b) In the event that the said conditions are not fulfilled on or before the 5th day of October, 1995, then this Agreement shall be at an end and the deposit shall be returned to the Purchaser without interest and the City shall not be liable to reimburse the Purchaser for any expenses. The Purchaser agrees to execute, if requested, a release of this Agreement in a form satisfactory to the City Solicitor.
8. This transaction is subject to the following conditions being fulfilled to the satisfaction of the City on or before the completion of the sale of land to the Purchaser:
- (a) Publication of Notice by the City having taken place in the newspaper for four successive weeks of Council's intent to,
- (i) pass a by-law(s)
- to close the highway, (where a portion of the highway included in this sale is to be closed by bylaw);
  - to authorize this sale of the closed highway; and
  - to authorize an alteration to a highway (where there is an alteration to a highway other than its closing subject to an alteration bylaw), [Sections 300 and 302 of the Municipal Act, R.S.O. 1990];
- (ii) hear any person who claims that their land will be prejudicially affected by the by-law, [Section 300 of the Municipal Act, R.S.O. 1990];
- (b) The Regional Municipality of Hamilton-Wentworth not exercising its right, within 60 days of notification, to object to the passing of the highway closing by-law or the application for a Judge's Order (as the case may be) to close the said highway; [Regional Municipalities Act, R.S.O. 1990, Section 44];

ASSUMED/NON-ASSUMED HIGHWAYS - PROVISIONS

- (c) Where the said highway or a portion thereof included in this sale has BEEN assumed by the City, the closing of this sale is also conditional upon;
- Firstly, the passing and registration of a by-law (pursuant to Section 297 of the Municipal Act, R.S.O. 1990), to stop-up, close and authorize the sale to the Purchaser of the said portion of the said municipal highway;
- Secondly, the approval of the Minister of Municipal Affairs to the highway closing by-law, where the highway being closed was laid out on a plan of subdivision registered after March 27, 1946, [Municipal Act, R.S.O. 1990, Section 297(10)];
- Thirdly, upon the City's compliance with the provisions of the Municipal Act respecting the closing and selling of highways and, in this regard, it is expressly understood and agreed that, notwithstanding acceptance of this Offer by the City,
- (i) that the City in its discretion may or may not decide to close-up and sell all or a portion of the said street: after the highway closure and sale is advertised and circulated to public agencies and/or after holding the required public hearing and comments are received; and
- (ii) where the Purchaser is not the adjacent registered owner of a portion of the highway included in this sale, that the City is required to first offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, that portion of the highway (after its closure) to the adjacent owner(s) and that if the adjacent owner exercises its right to purchase, the sale of such portion of the said highway to the Purchaser herein shall be cancelled as provided for in clause 8 (e);
- (d) Where the said highway or a portion thereof included in this sale has NOT been assumed by the City, the closing of this sale is also conditional upon,
- (i) the Purchaser at its expense obtaining a plan of survey -- Reference Plan of the subject highway (alley) laid out satisfactory to the Regional Surveyor's Office;

- (ii) an Order being issued by the Court (pursuant to the Registry Act, c. R.20, R.S.O. 1990, Section 88) and registered on title to close the said unassumed highway. Such Order shall be applied for by the Purchaser on behalf of and in the name of the City entirely at the Purchaser's expense. The Purchaser shall make such application using forms and processes satisfactory to the City Solicitor;
- (iii) the fact that the Court, notwithstanding acceptance of this Offer by the City, upon receiving the application in the City's name for an Order to close up the portion of the unassumed highway included in this sale, may or may not in its discretion, issue the Order requested or that the Court may Order less than the closing requested or may make its Order subject to such terms and conditions as it considers appropriate; The Purchaser agrees that this Offer is conditional upon and subject to the Order of the Court;
- (iv) this Offer to Purchase is conditional upon the City's compliance with the provisions of the Municipal Act and the Registry Act respecting the closing and selling of highways and in this regard, it is expressly understood and agreed that, notwithstanding acceptance of this Offer by the City,
  - (1) that the City in its discretion may or may not decide to sell all or a portion of the said street: after holding a public hearing and comments are received and/or after the highway closure and sale is advertised and circulated to public agencies; and
  - (2) where the Purchaser is not the adjacent registered owner of a portion of the highway included in this sale, that the City is required to first offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, that portion of the highway (after its closure) to the adjacent owner(s) and that if the adjacent owner exercises its right to purchase, the sale of such portion of the said highway to the Purchaser herein shall be cancelled as provided for in clause 8 (e);

NOTE TO AGENT: Delete either 8.(c) or 8.(d), above.

ADJACENT/NON-ADJACENT OWNER(S) - PROVISIONS

- (e) Where a portion of the highway being sold to the Purchaser is NOT ADJACENT to lands owned by the Purchaser, but adjacent to lands of another, -- the closing of this sale to the Purchaser is also conditional upon the adjacent registered land owner(s) deciding not to accept, within the time limit fixed by City by-law, the City's offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, the said portion of the adjacent closed street at the price such land is being offered herein to the Purchaser.

In the event the adjacent registered owner(s) exercises its right to so purchase, this Agreement shall

- (i) be null and void and the deposit shall be repaid to the Purchaser without interest; or
- (ii) remain in full force and effect except that the Purchaser shall be entitled to purchase only that portion of the closed street upon which the Purchaser's land abuts having a frontage of \_\_\_\_\_ and a depth of \_\_\_\_\_ more or less, at the reduced price of \$ \_\_\_\_\_ and the Offer to Purchase shall be deemed amended accordingly;

NOTE TO AGENT: Delete 8.(e) if not applicable; if 8.(e) is applicable, delete either 8.(e)(i) or 8.(e)(ii), above.

ASSIGNMENT BY PURCHASER - PROVISIONS

- 9. (a) Where the highway included in this sale is comprised solely of a portion of a highway which is not adjacent to any land of the Purchaser, no assignment of the interest of the Purchaser or any portion of this Offer shall be valid unless and until the assignee(s), the Purchaser and the City enter into an Assignment and Assumption Agreement satisfactory to the City which includes,



- (i) the assignee's covenant to the City to fulfil all of the obligations of the assignor, including the purchase of the highway after its closing as provided for herein, handling at its expense the application for a Judge's Order (if any) and easement(s) (if any); and
  - (ii) confirmation of City's rights to retain the deposit and application fees received from the original Purchaser in event of any default by the assignee of the Purchaser;
- (b) Where the highway included in this sale is comprised both of a portion of a highway which is adjacent to land of the Purchaser and a portion of highway which is not adjacent to land of the Purchaser, this Offer to Purchase may not be assigned by the Purchaser;
- (c) Where the highway included in this sale is comprised solely of a portion of a highway which is adjacent to land of the Purchaser,
- (i) subject to paragraph (ii) below, in the event the Purchaser, at any time prior to the completion of this sale to the Purchaser, the Purchaser sells his adjacent land or in the event that upon completion of this sale to the Purchaser it is determined by the City that the Purchaser is not the registered owner of the adjacent land - this Agreement shall be at an end and the Purchaser's deposit shall be forfeited to the City in addition to any other rights the City may have and the City shall not be liable for any expenses incurred by the Purchaser;
  - (ii) this Offer to Purchase may be assigned by the Purchaser, provided the Purchaser, the new owner of the Purchaser's adjacent land and the City have entered into an Assignment and Assumption Agreement satisfactory to the City.
  - (iii) Such Assignment and Assumption Agreement shall include the following requirements:
    - (1) the assignee's covenant to the City to fulfil all of the obligations of the assignor, including the purchase of the highway after its closing as provided for herein, handling at its expense the application for a Judge's Order (if any) and easements;
    - (2) confirmation of City's rights to retain the deposit and application fees received from the original Purchaser in event of any default by the assignee of the Purchaser; and
    - (3) that the assignee is the new registered owner of the original Purchaser's adjacent land.

NOTE TO AGENT: Delete two of - 9.(a) (b) or (c).

#### EASEMENTS

10. (a) The closing of this sale transaction is also conditional,
- (i) upon the Purchaser entering into and registering easement(s) in favour of the Utility(ies) required below; or
  - (ii) the City granting such easements.

NOTE TO AGENT: Delete 10.(a) if not applicable; if 10.(a) is applicable, delete either 10.(a)(i) or 10.(a)(ii), above.

The City's deed to the Purchaser shall be subject to such registered easement(s) in favour of the Utility(ies) required below:

- | <u>Utility</u>                                    | <u>Part(s) on Ref Plan/Schedule</u> |
|---|-------------------------------------|
| - The Regional Municipality of Hamilton-Wentworth |                                     |
| - Union Gas Limited                               |                                     |
| - Bell Telephone Company                          |                                     |
| - Ontario Hydro                                   |                                     |
| - Hamilton Hydro                                  |                                     |
| - Local Cablevision Company                       |                                     |
| - Other -   |                                     |

- (b) Regarding the said easement(s), the Purchaser acknowledges and agrees:
- (i) that the Purchaser is required at its expense, to enter into the said easement Agreement(s), with and satisfactory to each Utility unless the City shall grant such easements. Such easement shall be registered before the completion of the sale of the closed highway to the Purchaser or shall be registered as otherwise required by the City or the Utility;
  - (ii) that within the said highway being closed and sold to the Purchaser are installed or, are intended to be installed, the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway unless otherwise set out herein; and
  - (iii) that the Easement Agreement with a Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the lands included in this sale and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires.

11. The Purchaser hereby covenants and agrees to and with the City,
- (a) to not object to the closure and sale of the highway and the Purchaser hereby consents to the closing of the said street, including other portions thereof, if any, being sold to others;
  - (b) to accept title to the portion of the closed street included in this sale to the Purchaser subject to all existing registered easements and to all existing works of any Utility; and
  - (c) after taking title to the closed street from the City, the Purchaser acknowledges that he has all financial responsibility for the costs of developing the land and for the costs of obtaining all necessary services and approvals. No representation at all is made by the City on the willingness of any existing or proposed Utility to relocate or otherwise accommodate the Purchaser's use.
12. On the closing of this transaction, the Vendor will convey the said lands to the Purchaser by a good and sufficient deed thereof in fee simple, free and clear of all encumbrances subject to the easements referred to herein and except as to any registered restrictions or covenants and shall deliver vacant possession of the said lands to the Purchaser free of all tenancies.
13. The Purchaser shall assume taxes, local improvements, water and sewer rates from and after the date this transaction is completed with the Purchaser.
14. The deed or transfer is to be prepared by the Vendor in accordance with a plan of survey of the Vendor. If the Vendor does not have a plan of survey, the Purchaser shall have a plan of survey prepared at the Purchaser's expense satisfactory to the Vendor.
15. Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.
16. In the event of failure of the Purchaser to complete this transaction by the required closing date, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.
17. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under the Planning Act, R.S.O. 1990. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.
18. This Agreement and its acceptance is to be read with all changes of gender or number required by the context. Headings in this Offer are for convenience only and do not affect the text of the Offer's provisions.

Time shall be of the essence of this Agreement, which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

In this Offer the term highway includes alley or lane.

Forming part of this Offer to Purchase is/are Schedule(s) A attached hereto.

DATED at HAMILTON

this 17<sup>th</sup> day of AUGUST 1993.

SIGNED, SEALED AND DELIVERED

in the presence of

Mike - Gelling

) Terry Grant Oikawa

) TERRY GRANT OIKAWA

) Carol Anne Oikawa

) CAROL-ANNE OIKAWA

) \_\_\_\_\_ (Seal)

or c/s

Name of Purchaser's Lawyer:

HARRINGTON + HARRINGTON

Address of Purchaser's Lawyer:

550 CONCESSION

HAMILTON, ONTARIO L8V 1A9

Telephone: 383-3331

Fax: 514-3299

City's Lawyer:

Law Department,  
The Corporation of the City of Hamilton,  
71 Main Street West,  
P.O. Box 2040,  
Hamilton, Ontario.  
L8N 3T4

Telephone: 546-4520

Fax: 546-2142

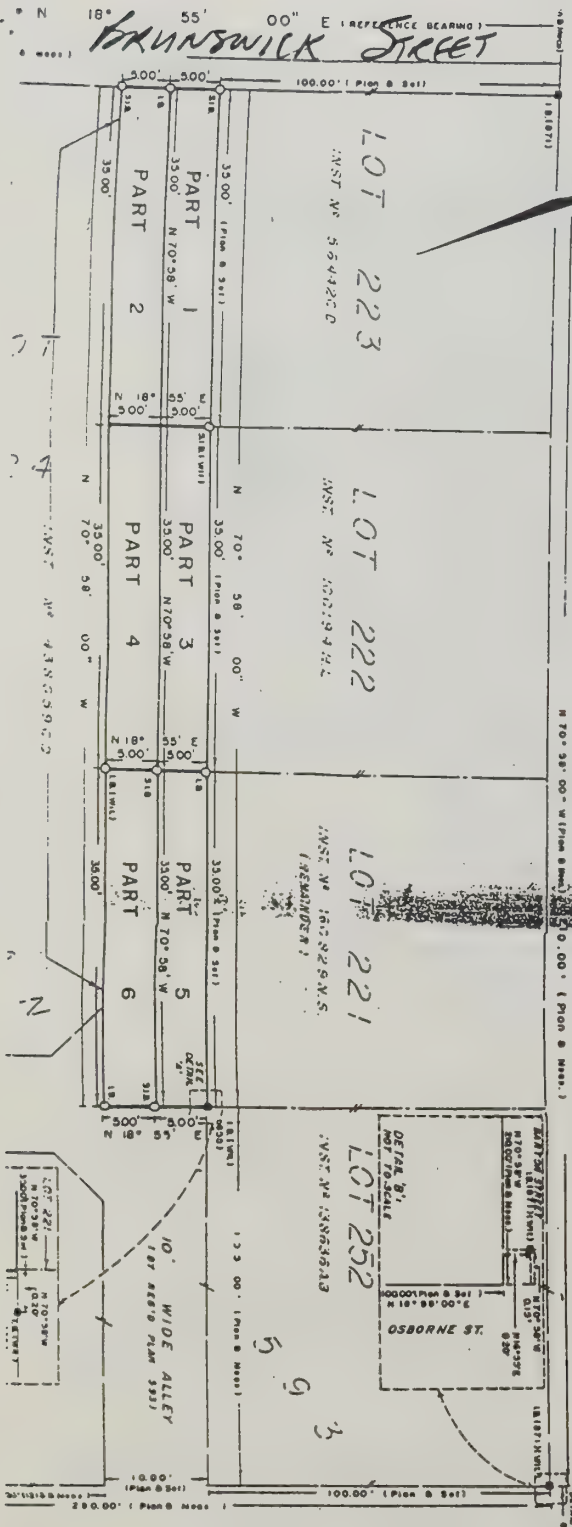
GENERAL NOTE TO AGENTS:

Delete non-applicable paragraphs/clauses (if any) from this Offer to Purchase with heavy diagonal lines -- do not remove non-applicable paragraphs and clauses and do not re-number sections.





BARTON STREET  
(FORMERLY SUPERIOR STREET - BY BY-LAW NIP-31002-21970,  
INST. N. 100-2-1, D. 100-2-1)



SCHEDULE			AREA (sq. ft.)	
PART	PLAN	LOCATION	1	2
1		Part of Alley	173.00	173.00
2		Lot 221, 222	173.00	173.00
3		Lot 221, 222	173.00	173.00
4		Lot 221, 222	173.00	173.00
5		Lot 221, 222	173.00	173.00
6		Lot 221, 222	173.00	173.00

OSBORNE STREET

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.

DATE: JANUARY 30, 1991

BRYAN JACOBS  
ONTARIO LAND SURVEYOR

PLAN 62R-11618

RECEIVED AND DEPOSITED

DATE: 1991 03 08

L. Radley DET.  
LAND REGISTRAR FOR THE REGISTRY DIVISION OF WENTWORTH (N862)

CAUTION:  
THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT.

PLAN OF SURVEY OF PART OF ALLEY LYING SOUTH OF LOTS 221, 222 & 223 IN THE BLOCK BOUNDED BY BRUNSWICK, BARTON & OSBORNE STREETS AND MELVIN AVENUE REGISTERED PLAN 593

(CENTENNIAL PARK SURVEY)  
CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH  
SCALE - 1" = 15'

BRYAN JACOBS  
ONTARIO LAND SURVEYOR  
1991.

BEARING NOTE:  
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE "PATENT" METHOD OF DETERMINATION.

[illegible]

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the 5th day of October 1993, by a letter mailed or delivered to the Purchaser at 2062 Barton Street East, Hamilton, Ontario L8H 2Z4 Attention: Anne Callen Geeling.
2. In the event that this Offer is not accepted, this Offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
4. The title is good and free from all encumbrance, except as to any registered restrictions, covenants and those easements contemplated herein.
5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed thirty days from the date of acceptance of such Offer to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs. Save as to any valid objection made within thirty days, the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.
7. (a) This transaction shall be closed within 30 days after the conditions in this Offer (and in its Schedules, if any) have been fulfilled to the satisfaction of the City;

- (b) In the event that the said conditions are not fulfilled on or before the 5th day of October, 1995, then this Agreement shall be at an end and the deposit shall be returned to the Purchaser without interest and the City shall not be liable to reimburse the Purchaser for any expenses. The Purchaser agrees to execute, if requested, a release of this Agreement in a form satisfactory to the City Solicitor.
8. This transaction is subject to the following conditions being fulfilled to the satisfaction of the City on or before the completion of the sale of land to the Purchaser:
- (a) Publication of Notice by the City having taken place in the newspaper for four successive weeks of Council's intent to,
- (i) pass a by-law(s)
- to close the highway, (where a portion of the highway included in this sale is to be closed by bylaw);
  - to authorize this sale of the closed highway; and
  - to authorize an alteration to a highway (where there is an alteration to a highway other than its closing subject to an alteration bylaw), [Sections 300 and 302 of the Municipal Act, R.S.O. 1990];
- (ii) hear any person who claims that their land will be prejudicially affected by the by-law, [Section 300 of the Municipal Act, R.S.O. 1990];
- (b) The Regional Municipality of Hamilton-Wentworth not exercising its right, within 60 days of notification, to object to the passing of the highway closing by-law or the application for a Judge's Order (as the case may be) to close the said highway; [Regional Municipalities Act, R.S.O. 1990, Section 44];

ASSUMED/NON-ASSUMED HIGHWAYS - PROVISIONS

- (c) Where the said highway or a portion thereof included in this sale has BEEN assumed by the City, the closing of this sale is also conditional upon;
- Firstly, the passing and registration of a by-law (pursuant to Section 297 of the Municipal Act, R.S.O. 1990), to stop-up, close and authorize the sale to the Purchaser of the said portion of the said municipal highway;
- Secondly, the approval of the Minister of Municipal Affairs to the highway closing by-law, where the highway being closed was laid out on a plan of subdivision registered after March 27, 1946, [Municipal Act, R.S.O. 1990, Section 297(10)];
- Thirdly, upon the City's compliance with the provisions of the Municipal Act respecting the closing and selling of highways and, in this regard, it is expressly understood and agreed that, notwithstanding acceptance of this Offer by the City,
- (i) that the City in its discretion may or may not decide to close-up and sell all or a portion of the said street: after the highway closure and sale is advertised and circulated to public agencies and/or after holding the required public hearing and comments are received; and
- (ii) where the Purchaser is not the adjacent registered owner of a portion of the highway included in this sale, that the City is required to first offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, that portion of the highway (after its closure) to the adjacent owner(s) and that if the adjacent owner exercises its right to purchase, the sale of such portion of the said highway to the Purchaser herein shall be cancelled as provided for in clause 8 (e);
- (d) Where the said highway or a portion thereof included in this sale has NOT been assumed by the City, the closing of this sale is also conditional upon,
- (i) the Purchaser at its expense obtaining a plan of survey -- Reference Plan of the subject highway (alley) laid out satisfactory to the Regional Surveyor's Office;



- (ii) an Order being issued by the Court (pursuant to the Registry Act, c. R.20, R.S.O. 1990, Section 88) and registered on title to close the said unassumed highway. Such Order shall be applied for by the Purchaser on behalf of and in the name of the City entirely at the Purchaser's expense. The Purchaser shall make such application using forms and processes satisfactory to the City Solicitor;
- (iii) the fact that the Court, notwithstanding acceptance of this Offer by the City, upon receiving the application in the City's name for an Order to close up the portion of the unassumed highway included in this sale, may or may not in its discretion, issue the Order requested or that the Court may Order less than the closing requested or may make its Order subject to such terms and conditions as it considers appropriate; The Purchaser agrees that this Offer is conditional upon and subject to the Order of the Court;
- (iv) this Offer to Purchase is conditional upon the City's compliance with the provisions of the Municipal Act and the Registry Act respecting the closing and selling of highways and in this regard, it is expressly understood and agreed that, notwithstanding acceptance of this Offer by the City,
  - (1) that the City in its discretion may or may not decide to sell all or a portion of the said street: after holding a public hearing and comments are received and/or after the highway closure and sale is advertised and circulated to public agencies; and
  - (2) where the Purchaser is not the adjacent registered owner of a portion of the highway included in this sale, that the City is required to first offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, that portion of the highway (after its closure) to the adjacent owner(s) and that if the adjacent owner exercises its right to purchase, the sale of such portion of the said highway to the Purchaser herein shall be cancelled as provided for in clause 8 (e);

NOTE TO AGENT: Delete either 8.(c) or 8.(d), above.

ADJACENT/NON-ADJACENT OWNER(S) - PROVISIONS

- (e) Where a portion of the highway being sold to the Purchaser is NOT ADJACENT to lands owned by the Purchaser, but adjacent to lands of another, -- the closing of this sale to the Purchaser is also conditional upon the adjacent registered land owner(s) deciding not to accept, within the time limit fixed by City by-law, the City's offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, the said portion of the adjacent closed street at the price such land is being offered herein to the Purchaser.

In the event the adjacent registered owner(s) exercises its right to so purchase, this Agreement shall

- (i) be null and void and the deposit shall be repaid to the Purchaser without interest; or
- (ii) remain in full force and effect except that the Purchaser shall be entitled to purchase only that portion of the closed street upon which the Purchaser's land abuts having a frontage of \_\_\_\_\_ and a depth of \_\_\_\_\_ more or less, at the reduced price of \$ \_\_\_\_\_ and the Offer to Purchase shall be deemed amended accordingly;

NOTE TO AGENT: Delete 8.(e) if not applicable; if 8.(e) is applicable, delete either 8.(e)(i) or 8.(e)(ii), above.

ASSIGNMENT BY PURCHASER - PROVISIONS

- 9. (a) Where the highway included in this sale is comprised solely of a portion of a highway which is not adjacent to any land of the Purchaser, no assignment of the interest of the Purchaser or any portion of this Offer shall be valid unless and until the assignee(s), the Purchaser and the City enter into an Assignment and Assumption Agreement satisfactory to the City which includes,

- (i) the assignee's covenant to the City to fulfil all of the obligations of the assignor, including the purchase of the highway after its closing as provided for herein, handling at its expense the application for a Judge's Order (if any) and easement(s) (if any); and
  - (ii) confirmation of City's rights to retain the deposit and application fees received from the original Purchaser in event of any default by the assignee of the Purchaser;
- (b) Where the highway included in this sale is comprised both of a portion of a highway which is adjacent to land of the Purchaser and a portion of highway which is not adjacent to land of the Purchaser, this Offer to Purchase may not be assigned by the Purchaser;
- (c) Where the highway included in this sale is comprised solely of a portion of a highway which is adjacent to land of the Purchaser,
- (i) subject to paragraph (ii) below, in the event the Purchaser, at any time prior to the completion of this sale to the Purchaser, the Purchaser sells his adjacent land or in the event that upon completion of this sale to the Purchaser it is determined by the City that the Purchaser is not the registered owner of the adjacent land - this Agreement shall be at an end and the Purchaser's deposit shall be forfeited to the City in addition to any other rights the City may have and the City shall not be liable for any expenses incurred by the Purchaser;
  - (ii) this Offer to Purchase may be assigned by the Purchaser, provided the Purchaser, the new owner of the Purchaser's adjacent land and the City have entered into an Assignment and Assumption Agreement satisfactory to the City.
  - (iii) Such Assignment and Assumption Agreement shall include the following requirements:
    - (1) the assignee's covenant to the City to fulfil all of the obligations of the assignor, including the purchase of the highway after its closing as provided for herein, handling at its expense the application for a Judge's Order (if any) and easements;
    - (2) confirmation of City's rights to retain the deposit and application fees received from the original Purchaser in event of any default by the assignee of the Purchaser; and
    - (3) that the assignee is the new registered owner of the original Purchaser's adjacent land.

NOTE TO AGENT: Delete two of - 9.(a) (b) or (c).

#### EASEMENTS

10. (a) The closing of this sale transaction is also conditional,
- (i) upon the Purchaser entering into and registering easement(s) in favour of the Utility(ies) required below; or
  - (ii) the City granting such easements.

NOTE TO AGENT: Delete 10.(a) if not applicable; if 10.(a) is applicable, delete either 10.(a)(i) or 10.(a)(ii), above.

The City's deed to the Purchaser shall be subject to such registered easement(s) in favour of the Utility(ies) required below:

<u>Utility</u>	<u>Part(s) on Ref Plan/Schedule</u>
- The Regional Municipality of Hamilton-Wentworth	
- Union Gas Limited	
- Bell Telephone Company	
- Ontario Hydro	
- Hamilton Hydro	
- Local Cablevision Company	
- Other -	

- (b) Regarding the said easement(s), the Purchaser acknowledges and agrees:
- (i) that the Purchaser is required at its expense, to enter into the said easement Agreement(s), with and satisfactory to each Utility unless the City shall grant such easements. Such easement shall be registered before the completion of the sale of the closed highway to the Purchaser or shall be registered as otherwise required by the City or the Utility;
  - (ii) that within the said highway being closed and sold to the Purchaser are installed or, are intended to be installed, the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway unless otherwise set out herein; and
  - (iii) that the Easement Agreement with a Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the lands included in this sale and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires.

11. The Purchaser hereby covenants and agrees to and with the City,
- (a) to not object to the closure and sale of the highway and the Purchaser hereby consents to the closing of the said street, including other portions thereof, if any, being sold to others;
  - (b) to accept title to the portion of the closed street included in this sale to the Purchaser subject to all existing registered easements and to all existing works of any Utility; and
  - (c) after taking title to the closed street from the City, the Purchaser acknowledges that he has all financial responsibility for the costs of developing the land and for the costs of obtaining all necessary services and approvals. No representation at all is made by the City on the willingness of any existing or proposed Utility to relocate or otherwise accommodate the Purchaser's use.
12. On the closing of this transaction, the Vendor will convey the said lands to the Purchaser by a good and sufficient deed thereof in fee simple, free and clear of all encumbrances subject to the easements referred to herein and except as to any registered restrictions or covenants and shall deliver vacant possession of the said lands to the Purchaser free of all tenancies.
13. The Purchaser shall assume taxes, local improvements, water and sewer rates from and after the date this transaction is completed with the Purchaser.
14. The deed or transfer is to be prepared by the Vendor in accordance with a plan of survey of the Vendor. If the Vendor does not have a plan of survey, the Purchaser shall have a plan of survey prepared at the Purchaser's expense satisfactory to the Vendor.
15. Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.
16. In the event of failure of the Purchaser to complete this transaction by the required closing date, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.
17. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under the Planning Act, R.S.O. 1990. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.
18. This Agreement and its acceptance is to be read with all changes of gender or number required by the context. Headings in this Offer are for convenience only and do not affect the text of the Offer's provisions.

Time shall be of the essence of this Agreement, which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

In this Offer the term highway includes alley or lane.



Forming part of this Offer to Purchase is/are Schedule(s) A attached hereto.

DATED at HAMILTON

this 17<sup>th</sup> day of AUGUST 19 93.

SIGNED, SEALED AND DELIVERED

in the presence of

Carol Chikawa

) Anne Geeling  
) ANNE CALLEN GEELING or c/s  
) \_\_\_\_\_ (Seal)  
) \_\_\_\_\_ (Seal)  
) \_\_\_\_\_ (Seal)

Name of Purchaser's Lawyer:

HARRINGTON & HARRINGTON

Address of Purchaser's Lawyer:

550 CONCESSION

HAMILTON, ONTARIO L8N 1A9

Telephone: 383 3331

Fax: 574-3217

City's Lawyer:

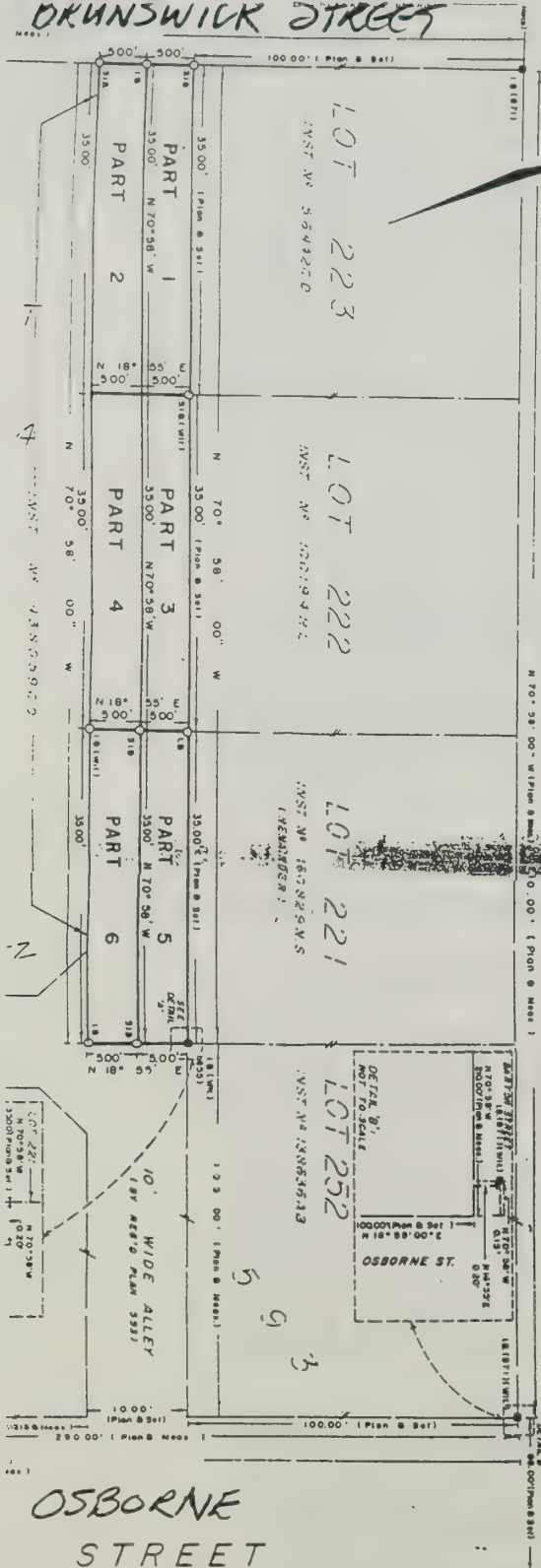
Law Department,  
The Corporation of the City of Hamilton,  
71 Main Street West,  
P.O. Box 2040,  
Hamilton, Ontario.  
L8N 3T4

Telephone: 546-4520

Fax: 546-2142

GENERAL NOTE TO AGENTS:

Delete non-applicable paragraphs/clauses (if any) from this Offer to Purchase with heavy diagonal lines -- do not remove non-applicable paragraphs and clauses and do not re-number sections.



BARTON STREET - BY BY-LAW NO. 21970, (N 70° 38' 00" W 100.00' (Plan & Mass) )

SCHEDULE		
PART	PLAN	LOCATION
1		Part of Alley
2		Lying between
3		Lots 221, 222
4		& 223.
5	595	
6		
		AREA (ft <sup>2</sup> )
		173.00
		173.00
		173.00
		173.00
		173.00
		173.00

CAUTION: THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT.

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.

DATE: JANUARY 30, 1991

Bryan Jacobs

BRYAN JACOBS

ONTARIO LAND SURVEYOR

RECEIVED AND DEPOSITED

DATE: 1991 03 08

L. Radley DEPT.

LAND REGISTRAR FOR THE

REGISTRY DIVISION OF

WENTWORTH (M62)

OSBORNE STREET

PLAN OF SURVEY OF PART OF ALLEY LYING SOUTH OF LOTS 221, 222 & 223 IN THE BLOCK BOUNDED BY BRUNSWICK, BARTON & OSBORNE STREETS AND MELVIN AVENUE REGISTERED PLAN 593 (CENTENNIAL PARK SURVEY) CITY OF HAMILTON REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH SCALE = 1" = 15'

BRYAN JACOBS

ONTARIO LAND SURVEYOR

1991.

BEARING NOTE:

2012 2nd 5 lines

OFFER TO PURCHASE  
(HIGHWAY CLOSURE)

We MICHELLE MARIE ALDERSON  
SHERRY DAWN ALDERSON WILLISTON of the City of Hamilton,  
in The Regional Municipality of Hamilton-Wentworth,  
hereinafter called the Purchaser,  
hereby agree to and with THE CORPORATION OF THE CITY OF HAMILTON,  
hereinafter called the Vendor or the City,

to purchase all and singular that certain parcel or tract of land and premises situate in the City of Hamilton in The Regional Municipality of Hamilton-Wentworth and being composed of part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593, (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a combined length of 32.004 metres (105.0 feet) more or less, and comprising a total area of 48.772 square metres (525.0 square feet) more or less, designated as Parts 2, 4 and 6 on Reference Plan 62R-11618, and lying directly north of municipal address 334 Brunswick Street.

at the price of ONE----- DOLLARS (\$1.00)  
of lawful money of Canada, subject to adjustments, on the closing of this transaction.

Provided that this Offer to Purchase is subject to the following conditions:-

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the 5th day of October 1993, by a letter mailed or delivered to the Purchaser at c/o Alec Z. Beasley, Barrister & Solicitor, 808-20 Hughson Street South, Hamilton, Ontario L8N 2A1.
2. In the event that this Offer is not accepted, this Offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
4. The title is good and free from all encumbrance, except as to any registered restrictions, covenants and those easements contemplated herein.
5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed thirty days from the date of acceptance of such Offer to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs. Save as to any valid objection made within thirty days, the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.
7. (a) This transaction shall be closed within 30 days after the conditions in this Offer (and in its Schedules, if any) have been fulfilled to the satisfaction of the City;



- (b) In the event that the said conditions are not fulfilled on or before the 5th day of October, 1995, then this Agreement shall be at an end and the deposit shall be returned to the Purchaser without interest and the City shall not be liable to reimburse the Purchaser for any expenses. The Purchaser agrees to execute, if requested, a release of this Agreement in a form satisfactory to the City Solicitor.
8. This transaction is subject to the following conditions being fulfilled to the satisfaction of the City on or before the completion of the sale of land to the Purchaser:
- (a) Publication of Notice by the City having taken place in the newspaper for four successive weeks of Council's intent to,
- (i) pass a by-law(s)
- to close the highway, (where a portion of the highway included in this sale is to be closed by bylaw);
  - to authorize this sale of the closed highway; and
  - to authorize an alteration to a highway (where there is an alteration to a highway other than its closing subject to an alteration bylaw), [Sections 300 and 302 of the Municipal Act, R.S.O. 1990];
- (ii) hear any person who claims that their land will be prejudicially affected by the by-law, [Section 300 of the Municipal Act, R.S.O. 1990];
- (b) The Regional Municipality of Hamilton-Wentworth not exercising its right, within 60 days of notification, to object to the passing of the highway closing by-law or the application for a Judge's Order (as the case may be) to close the said highway; [Regional Municipalities Act, R.S.O. 1990, Section 44];

ASSUMED/NON-ASSUMED HIGHWAYS - PROVISIONS

- (c) Where the said highway or a portion thereof included in this sale has BEEN assumed by the City, the closing of this sale is also conditional upon;
- Firstly, the passing and registration of a by-law (pursuant to Section 297 of the Municipal Act, R.S.O. 1990), to stop-up, close and authorize the sale to the Purchaser of the said portion of the said municipal highway;
- Secondly, the approval of the Minister of Municipal Affairs to the highway closing by-law, where the highway being closed was laid out on a plan of subdivision registered after March 27, 1946, [Municipal Act, R.S.O. 1990, Section 297(10)];
- Thirdly, upon the City's compliance with the provisions of the Municipal Act respecting the closing and selling of highways and, in this regard, it is expressly understood and agreed that, notwithstanding acceptance of this Offer by the City,
- (i) that the City in its discretion may or may not decide to close-up and sell all or a portion of the said street: after the highway closure and sale is advertised and circulated to public agencies and/or after holding the required public hearing and comments are received; and
- (ii) where the Purchaser is not the adjacent registered owner of a portion of the highway included in this sale, that the City is required to first offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, that portion of the highway (after its closure) to the adjacent owner(s) and that if the adjacent owner exercises its right to purchase, the sale of such portion of the said highway to the Purchaser herein shall be cancelled as provided for in clause 8 (e);
- (d) Where the said highway or a portion thereof included in this sale has NOT been assumed by the City, the closing of this sale is also conditional upon,
- (i) the Purchaser at its expense obtaining a plan of survey -- Reference Plan of the subject highway (alley) laid out satisfactory to the Regional Surveyor's Office;

- (ii) an Order being issued by the Court (pursuant to the Registry Act, c. R.20, R.S.O. 1990, Section 88) and registered on title to close the said unassumed highway. Such Order shall be applied for by the Purchaser on behalf of and in the name of the City entirely at the Purchaser's expense. The Purchaser shall make such application using forms and processes satisfactory to the City Solicitor;
- (iii) the fact that the Court, notwithstanding acceptance of this Offer by the City, upon receiving the application in the City's name for an Order to close up the portion of the unassumed highway included in this sale, may or may not in its discretion, issue the Order requested or that the Court may Order less than the closing requested or may make its Order subject to such terms and conditions as it considers appropriate; The Purchaser agrees that this Offer is conditional upon and subject to the Order of the Court;
- (iv) this Offer to Purchase is conditional upon the City's compliance with the provisions of the Municipal Act and the Registry Act respecting the closing and selling of highways and in this regard, it is expressly understood and agreed that, notwithstanding acceptance of this Offer by the City,
  - (1) that the City in its discretion may or may not decide to sell all or a portion of the said street: after holding a public hearing and comments are received and/or after the highway closure and sale is advertised and circulated to public agencies; and
  - (2) where the Purchaser is not the adjacent registered owner of a portion of the highway included in this sale, that the City is required to first offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, that portion of the highway (after its closure) to the adjacent owner(s) and that if the adjacent owner exercises its right to purchase, the sale of such portion of the said highway to the Purchaser herein shall be cancelled as provided for in clause 8 (e);

NOTE TO AGENT: Delete either 8.(c) or 8.(d), above.

ADJACENT/NON-ADJACENT OWNER(S) - PROVISIONS

- (e) Where a portion of the highway being sold to the Purchaser is NOT ADJACENT to lands owned by the Purchaser, but adjacent to lands of another, -- the closing of this sale to the Purchaser is also conditional upon the adjacent registered land owner(s) deciding not to accept, within the time limit fixed by City by-law, the City's offer to sell, pursuant to Section 315 of the Municipal Act, R.S.O. 1990, the said portion of the adjacent closed street at the price such land is being offered herein to the Purchaser.

In the event the adjacent registered owner(s) exercises its right to so purchase, this Agreement shall

- (i) be null and void and the deposit shall be repaid to the Purchaser without interest; or
- (ii) remain in full force and effect except that the Purchaser shall be entitled to purchase only that portion of the closed street upon which the Purchaser's land abuts having a frontage of \_\_\_\_\_ and a depth of \_\_\_\_\_ more or less, at the reduced price of \$ \_\_\_\_\_ and the Offer to Purchase shall be deemed amended accordingly;

NOTE TO AGENT: Delete 8.(e) if not applicable; if 8.(e) is applicable, delete either 8.(e)(i) or 8.(e)(ii), above.

ASSIGNMENT BY PURCHASER - PROVISIONS

- 9. (a) Where the highway included in this sale is comprised solely of a portion of a highway which is not adjacent to any land of the Purchaser, no assignment of the interest of the Purchaser or any portion of this Offer shall be valid unless and until the assignee(s), the Purchaser and the City enter into an Assignment and Assumption Agreement satisfactory to the City which includes,

- (i) the assignee's covenant to the City to fulfil all of the obligations of the assignor, including the purchase of the highway after its closing as provided for herein, handling at its expense the application for a Judge's Order (if any) and easement(s) (if any); and
- (ii) confirmation of City's rights to retain the deposit and application fees received from the original Purchaser in event of any default by the assignee of the Purchaser;
- (b) Where the highway included in this sale is comprised both of a portion of a highway which is adjacent to land of the Purchaser and a portion of highway which is not adjacent to land of the Purchaser, this Offer to Purchase may not be assigned by the Purchaser;
- (c) Where the highway included in this sale is comprised solely of a portion of a highway which is adjacent to land of the Purchaser,
  - (i) subject to paragraph (ii) below, in the event the Purchaser, at any time prior to the completion of this sale to the Purchaser, the Purchaser sells his adjacent land or in the event that upon completion of this sale to the Purchaser it is determined by the City that the Purchaser is not the registered owner of the adjacent land - this Agreement shall be at an end and the Purchaser's deposit shall be forfeited to the City in addition to any other rights the City may have and the City shall not be liable for any expenses incurred by the Purchaser;
  - (ii) this Offer to Purchase may be assigned by the Purchaser, provided the Purchaser, the new owner of the Purchaser's adjacent land and the City have entered into an Assignment and Assumption Agreement satisfactory to the City.
  - (iii) Such Assignment and Assumption Agreement shall include the following requirements:
    - (1) the assignee's covenant to the City to fulfil all of the obligations of the assignor, including the purchase of the highway after its closing as provided for herein, handling at its expense the application for a Judge's Order (if any) and easements;
    - (2) confirmation of City's rights to retain the deposit and application fees received from the original Purchaser in event of any default by the assignee of the Purchaser; and
    - (3) that the assignee is the new registered owner of the original Purchaser's adjacent land.

NOTE TO AGENT: Delete two of - 9.(a) (b) or (c).

#### EASEMENTS

10. (a) The closing of this sale transaction is also conditional,
- (i) upon the Purchaser entering into and registering easement(s) in favour of the Utility(ies) required below; or
  - (ii) the City granting such easements.

NOTE TO AGENT: Delete 10.(a) if not applicable; if 10.(a) is applicable, delete either 10.(a)(i) or 10.(a)(ii), above.

The City's deed to the Purchaser shall be subject to such registered easement(s) in favour of the Utility(ies) required below:

<u>Utility</u>	<u>Part(s) on Ref Plan/Schedule</u>
- The Regional Municipality of Hamilton-Wentworth	
- Union Gas Limited	
- Bell Telephone Company	
- Ontario Hydro	
- Hamilton Hydro	
- Local Cablevision Company	
- Other -	



- (b) Regarding the said easement(s), the Purchaser acknowledges and agrees:
- (i) that the Purchaser is required at its expense, to enter into the said easement Agreement(s), with and satisfactory to each Utility unless the City shall grant such easements. Such easement shall be registered before the completion of the sale of the closed highway to the Purchaser or shall be registered as otherwise required by the City or the Utility;
  - (ii) that within the said highway being closed and sold to the Purchaser are installed or, are intended to be installed, the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway unless otherwise set out herein; and
  - (iii) that the Easement Agreement with a Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the lands included in this sale and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires.
11. The Purchaser hereby covenants and agrees to and with the City,
- (a) to not object to the closure and sale of the highway and the Purchaser hereby consents to the closing of the said street, including other portions thereof, if any, being sold to others;
  - (b) to accept title to the portion of the closed street included in this sale to the Purchaser subject to all existing registered easements and to all existing works of any Utility; and
  - (c) after taking title to the closed street from the City, the Purchaser acknowledges that he has all financial responsibility for the costs of developing the land and for the costs of obtaining all necessary services and approvals. No representation at all is made by the City on the willingness of any existing or proposed Utility to relocate or otherwise accommodate the Purchaser's use.
12. On the closing of this transaction, the Vendor will convey the said lands to the Purchaser by a good and sufficient deed thereof in fee simple, free and clear of all encumbrances subject to the easements referred to herein and except as to any registered restrictions or covenants and shall deliver vacant possession of the said lands to the Purchaser free of all tenancies.
13. The Purchaser shall assume taxes, local improvements, water and sewer rates from and after the date this transaction is completed with the Purchaser.
14. The deed or transfer is to be prepared by the Vendor in accordance with a plan of survey of the Vendor. If the Vendor does not have a plan of survey, the Purchaser shall have a plan of survey prepared at the Purchaser's expense satisfactory to the Vendor.
15. Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.
16. In the event of failure of the Purchaser to complete this transaction by the required closing date, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.
17. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under the Planning Act, R.S.O. 1990. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.
18. This Agreement and its acceptance is to be read with all changes of gender or number required by the context. Headings in this Offer are for convenience only and do not affect the text of the Offer's provisions.

Time shall be of the essence of this Agreement, which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

In this Offer the term highway includes alley or lane.

Forming part of this Offer to Purchase is/are Schedule(s) A attached hereto.

DATED at HAMILTON this 13 day of Aug 19 83

SIGNED, SEALED AND DELIVERED

in the presence of

) Michelle Marie Alderson (Seal) or c/s

) MICHELLE MARIE ALDERSON

) Sherry Dawn Alderson Williston

) SHERRY DAWN ALDERSON WILLISTON

) \_\_\_\_\_ (Seal)

Name of Purchaser's Lawyer:

Alec Z. Beasley

Address of Purchaser's Lawyer:

808-20 Hughson Street South

Hamilton, Ontario

Telephone: (416) 527-8348

Fax: (416) 527-3863

City's Lawyer:

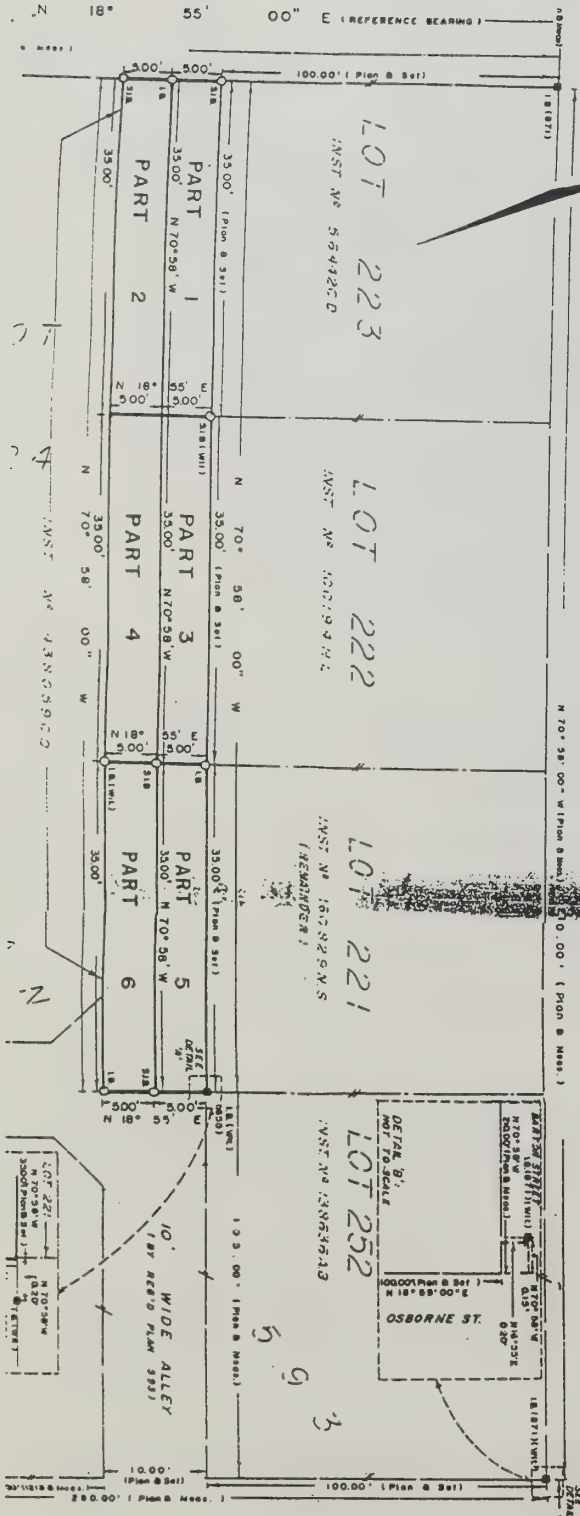
Law Department,  
The Corporation of the City of Hamilton,  
71 Main Street West,  
P.O. Box 2040,  
Hamilton, Ontario.  
L8N 3T4

Telephone: 546-4520

Fax: 546-2142

GENERAL NOTE TO AGENTS:

Delete non-applicable paragraphs/clauses (if any) from this Offer to Purchase with heavy diagonal lines -- do not remove non-applicable paragraphs and clauses and do not re-number sections.



BARTON STREET - BY O'FLAN NTH-2 (JULY 2 1970, )  
( FORMERLY SUPERIOR STREET )

SCHEDULE			LOCATION	AREA (sq.)
PART	PLAN			
1		Part of Alley	175.00'	
2		Living Southed	175.00	
3		Lot 821, 822	175.00	
4	893	8 223 .	175.00	
5			175.00	
6			175.00	

I REQUIRE THIS PLAN TO  
BE DEPOSITED UNDER  
THE REGISTRY ACT.

DATE: JANUARY 30, 1991

DATE: 1991 08 08

BRYAN JACOBS  
ONTARIO LAND SURVEYOR

L. Radley DPT.  
LAND REGISTRAR FOR THE  
REGISTRY DIVISION OF  
WENTWORTH (N862).

**CAUTION:**  
THIS PLAN IS NOT A PLAN OF SUBDIVISION  
WITHIN THE MEANING OF THE PLANNING ACT.

PLAN OF SURVEY OF  
PART OF ALLEY LYING SOUTHO  
LOTS 221, 222 & 223 IN THE BLOCK  
BOUNDED BY BRUNSWICK, BARTON &  
OSBORNE STREETS AND MELVIN AVENUE  
REGISTERED PLAN 593  
(CENTENNIAL PARK SURVEY)  
CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF  
HAMILTON - WENTWORTH  
SCALE = 1" = 15'

**BRYAN JACOBS**  
**ONTARIO LAND SURVEYOR**  
**1991.**

BEARING NOTE!  
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO  
THE PATERBY UNIT OF RADIOMETER STUFF



2(Xii)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 9

**REPORT TO:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

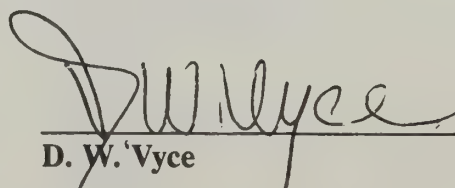
**FROM:** D. W. Vyce  
Director of Property

**SUBJECT:** Alley Closure and Sale  
Rear land abutting Municipal Addresses  
2054 Barton Street East - Terry Grant and Carol Anne Oikawa  
2062 Barton Street East - Anne Callen Geeling  
and adjacent to 334 Brunswick Street - Michelle Marie Alderson  
and Sherry Dawn Alderson Williston

**RECOMMENDATION:**

- a) i) That an Offer to Purchase, duly executed by the abutting homeowners, Terry Grant Oikawa and Carol Anne Oikawa, on 1993 August 17, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a length of 10.668 metres (35.0 feet) more or less, and comprising a total area of 16.257 square metres (175.0 square feet) more or less, designated as Part 1, on Reference Plan 62R-11618, and lying directly south of municipal address 2054 Barton Street East, be approved and completed and the funds derived from this sale of \$1 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases).
- ii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

- b) i) That an Offer to Purchase, duly executed by the abutting homeowner, Anne Callen Geeling, on 1993 August 17, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a length of 10.668 metres (35.0 feet) more or less, and comprising a total area of 16.257 square metres (175.0 square feet) more or less, designated as Part 5, on Reference Plan 62R-11618, and lying directly south of municipal address 2062 Barton Street East, be approved and completed and the funds derived from this sale of \$1 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases).
- ii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- c) i) That an Offer to Purchase, duly executed by the abutting homeowners, Michelle Marie Alderson and Sherry Dawn Alderson Williston, on 1993 August 13, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a combined length of 32.004 metres (105.0 feet) more or less, and comprising a total area of 48.772 square metres (525.0 square feet) more or less, designated as Parts 2, 4 and 6 on Reference Plan 62R-11618, and lying directly north of municipal address 334 Brunswick Street, be approved and completed, and the funds derived from this sale of \$1 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases).
- ii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

  
D. W. Vyce

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

See above recommendation.

**BACKGROUND:**

On 1990 March 13, City Council adopted Item 1 of the 4th Report of the Transport and Environment Committee, thereby authorizing the stopping-up, closure and sale of the subject alleyway.

Subsequently, this alley was closed by Judge's Order on 1993 July 17 as Instrument No. 159226, and we are now proceeding to sell the closed alley as directed.

WmM/nw  
Attach.

c.c. P. Noé Johnson, City Solicitor, Law Department

Allan C. Ross, Treasurer, Treasury Department

C. Bandurka, Property Clerk, Surveys, Roads Department





2(c)(iii)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 9

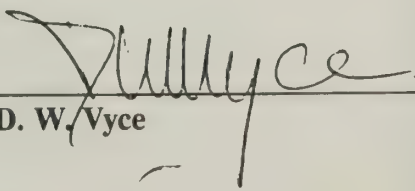
**REPORT TO:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** D. W. Vyce  
Director of Property

**SUBJECT:** Offer to Purchase - Public Walkway Between  
71 and 75 Janet Court, Kentley Neighbourhood  
Bruce Redford Roussey

**RECOMMENDATION:**

- a) That an Offer to Purchase, duly executed by Bruce Redford Roussey, on 1993 August 30, and scheduled to close thirty (30) days after the enactment and registration of a by-law to stop up, close and sell the public walkway extending from the east side of Janet Court to the western extremity of Janet Court, for the lands composed of all of Block 43, Plan 62M-575, more particularly described as having a perpendicular width of 4.5 metres (14.76 feet) more or less, having a frontage of 4.714 metres (15.46 feet) more or less, along the easterly limit of Janet Court between municipal addresses 71 and 75 Janet Court, by a depth of 28.071 metres (92.096 feet) more or less, along the northerly boundary and 29.394 metres (96.43 feet) more or less, along the southerly boundary, and comprising a total area of 128.7 square metres (1,385.36 square feet) more or less, save and except the most easterly 0.3048 metres (1 foot), be approved and completed, and the funds derived from this sale of \$1 be credited to Account No. CH 4X501 00102 (Sale of Lands - Reserve for Property Purchases).
- b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

  
\_\_\_\_\_  
D. W. Vyce

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

See above recommendation.

**BACKGROUND:**

On 1993 February 9, City Council adopted Item 25 of the 2nd Report of the Transport and Environment Committee, thereby authorizing the disposal of the said lands to the abutting owners. As John and Suzanne LeBlanc, the owners of the abutting property, have waived their rights to purchase half of the walkway, the entire walkway is being purchased by Bruce Redford Roussey.

RWW/nw  
Attach.

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer, Treasury Department

C. Bandurka, Property Clerk, Surveys, Roads Department





OFFER TO PURCHASE  
(HIGHWAY CLOSURE)

I/We BRUCE REDFORD ROUSSEY

of the City of Hamilton,

in the Regional Municipality of Hamilton-Wentworth,

hereinafter called the Purchaser,

hereby agree to and with THE CORPORATION OF THE CITY OF HAMILTON,

hereinafter called the Vendor,

to purchase all and singular that certain parcel or tract of land and premises situate in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth and being composed of all of Block 43, Plan 62M-575, more particularly described as having a perpendicular width of 4.5 metres (14.76 feet) more or less, having a frontage of 4.714 metres (15.46 feet) more or less, along the easterly limit of Janet Court between municipal addresses 71 and 75 Janet Court, by a depth of 28.071 metres (92.096 feet) more or less, along the northerly boundary and 29.394 metres (96.43 feet) more or less, along the southerly boundary and comprising a total area of 128.7 square metres (1,385.36 square feet) more or less, save and except the most easterly 0.3048 metres (1 foot) as shown in heavy outline on partial plan 62M-575 attached hereto as Schedule "B".

at the price of ONE----- DOLLARS (\$1.00)  
of lawful money of Canada, payable as follows:-

Forming part of this Offer to Purchase is/are Schedule(s) A & B attached hereto.

Provided that this Offer to Purchase is subject to the following conditions:-

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the 5th day of October 1993, by a letter mailed or delivered to the Purchaser at c/o Borkovich & Ingrassia, Barristers & Solicitors, 1 Main Street East, Hamilton, Ontario, L8N 1E7 Attention: Mr. Jerry Ingrassia.
2. In the event that this Offer is not accepted, this Offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
4. The title is good and free from all encumbrances, except as to any registered restrictions or covenants.
5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed thirty days from the date of acceptance of such Offer to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and it shall not be liable for any damages or costs. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.
7. (a) This transaction shall be closed within 30 days after the conditions in section 8 below have been fulfilled;
- (b) In the event that the conditions in section 8 below are not fulfilled thirty (30) days after the by-law is passed, then this Agreement shall be at an end and the deposit shall be returned to the Purchaser without interest and the City shall not be liable to reimburse the Purchaser for any expenses. The Purchaser agrees to execute, if requested, a release in respect of this Agreement in a form satisfactory to the City Solicitor.

8. This transaction is subject to the following conditions being fulfilled on or before the completion of the sale of land to the Purchaser:

- (a) The passing and registration of a by-law (pursuant to Section 297 of The Municipal Act, R.S.O. 1990), to stop-up, close and authorize the sale to the Purchaser of that portion of the said municipal public walkway known as all of Block 43, Plan 62M-575, save and except the most easterly 0.03048 metres (1.0 foot) as shown in heavy outline on partial plan 62M-575 attached hereto as Schedule "B".

In this regard, the Purchaser acknowledges that this Offer to Purchase is subject to the City's compliance with the provisions of the Municipal Act respecting the closing and selling of highways and it is expressly understood and agreed that notwithstanding acceptance of this Offer by the City,

- (i) that the City in its discretion may or may not decide to close-up and sell all or a portion of the said street after holding the public meeting and comments are received after the highway closure and sale is advertised and circulated to public agencies;
- (ii) the City is required to offer the highway being sold to the adjacent owner(s) pursuant to Section 315 of The Municipal Act;
- (b) As the Purchaser is not the registered owner of the south half of Block 43, Plan 62M-575 land adjacent to the highway to be stopped-up and sold, -- the closing of this sale to the Purchaser is conditional upon the adjacent registered land owner(s), (pursuant to Section 315 of the Municipal Act, R.S.O. 1990), deciding not to accept (within the time limit fixed by City Council) the City's offer to sell the portion of the adjacent closed street at the price such land is being offered to the Purchaser.

In the event the adjacent registered owner(s) exercises its right to so purchase, this Agreement shall

- (i) be null and void and the deposit shall be repaid to the Purchaser without interest; or
- (ii) ~~remain in full force and effect except that the Purchaser shall be entitled to purchase only that portion of the closed street upon which the Purchaser's land abuts having a frontage of 10.058 metres and a depth of 14.035 metres more or less, at the price of \$1.00 and the Offer to Purchase shall be deemed amended accordingly;~~
- (c) As the Purchaser is the registered owner of the land adjacent to the highway to be stopped-up and sold, (or intends to be on or before the completion of his sale to the Purchaser, the registered owner of the land adjacent to the highway to be stopped up and sold), the closing of this sale to the Purchaser is conditional on the Purchaser being the registered owner of the adjacent land;
- (d) ~~As the proposed closure and sale of the said highway requires an alteration to a portion of adjacent highway not being closed namely,~~  
~~-- the closing of this sale to the Purchaser is conditional upon the Vendor,~~
- (i) ~~having published in the newspaper for four successive weeks Notice of Council's intent to pass such alteration by-law and to hear any person who claims that the person's land will be prejudicially affected by the by-law, and~~
- (ii) ~~the Vendor having decided after holding the said hearing, to proceed with the alteration by-law and the said alteration, [Municipal Act, S. 297(1)(b) and S. 300];~~
- (e) As the highway being closed was laid out on a plan of subdivision registered after March 17, 1946, the closing of this sale to the Purchaser is conditional upon the Minister of Municipal Affairs not withholding Ministerial approval to the by-law, [Municipal Act, Section 297(10)];
- (f) The Regional Municipality of Hamilton-Wentworth not exercising its right, within 60 days of notification, to object to the passing of the said by-law; [Regional Municipalities Act, Section 44];



- (g) Publication of Notice having taken place in the newspaper for four successive weeks of Council's intent to pass the by-law to close the highway, to carry out this sale and to hear anyone who claims that the person's land will be prejudicially affected by the by-law, [Municipal Act, Section 300];
  - (h) The Purchaser entering into and registering easement(s) in favour of the Utility(ies) as required in section 9 below.
  - (i) The other condition(s), (if any), set out in the attached Schedule.
9. (a) The City's deed to the Purchaser shall be subject to an easement(s) in favour of but not limited to the following Utility(ies) through the said portion of Block 43, Plan 62M-575, which shall include but not be limited to sanitary and storm sewers and catch basin.

Utility

- The Regional Municipality of Hamilton-Wentworth
  - ~~Union Gas Limited~~
  - ~~Bell Telephone Company~~
  - ~~Ontario Hydro~~
  - ~~Hamilton Hydro~~
  - ~~Local Cablevision Company~~
- (b) Regarding such easement(s), the Purchaser acknowledges and agrees,
- (i) that the Purchaser is required at his expense to enter into an Easement Agreement with and satisfactory to each Utility in order that such easement shall be registered before the closing of this sale to the Purchaser or registered as required by the Utility;
  - (ii) that within the said highway being closed and sold to the Purchaser are (or, are intended to be) installed the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway;
  - (iii) that the Easement Agreement with the Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the said land and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires;
- (c) The above requirements of the City may only be waived by the City.
10. The Purchaser hereby covenants and agrees to and with the City,
- (a) to not object to the closure and sale of the street and the Purchaser hereby consents to the closing of the said street, including other portions thereof, if any, being sold to other adjacent owners;
  - (b) to accept title to the closed street subject to all existing registered easements and all existing works of any Utility;
  - (c) after taking title to the closed street from the City, to assume responsibility at the Purchaser's expense, for the costs of developing the land and for the costs of obtaining all necessary services and approvals. No representation at all is made by the City on the willingness of any existing or proposed Utility to relocate to accommodate the Purchaser's use.
11. On the closing of this transaction, the Vendor will convey the said lands to the Purchaser by a good and sufficient deed thereof in fee simple, free and clear of all encumbrances, except as to any registered restrictions or covenants, and shall deliver vacant possession of the said lands to the Purchaser free of all tenancies.
12. The Purchaser shall assume taxes, local improvements, water and sewer rates from and after the date this transaction is completed with the Purchaser.

13. Pending completion of this transaction, the Vendor will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the Purchaser may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Offer whether accepted or not and have all monies theretofore paid returned without interest.
14. The deed or transfer is to be prepared at the expense of the Vendor. If the Vendor is a Trustee the deed or transfer is to contain trustee covenants only.
15. This agreement and its acceptance is to be read with all changes of gender or number required by the context.
16. In the event of failure of the Purchaser to complete this transaction by the required closing date, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.
17. Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.
18. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Time shall be of the essence of this Agreement, which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

DATED at Hamilton this 30 day of AUGUST 1993.

SIGNED, SEALED AND DELIVERED )

in the presence of )

B. Roussey  
BRUCE REDFORD ROUSSEY

(Seal)

(Seal)

(Seal)

Purchaser's Lawyer  
Address/Phone/Fax Nos.:

Mr. Jerry Ingrassia

Borkovich & Ingrassia

1 Main Street East

Hamilton, Ontario L8N 1E7

Vendor's Lawyer  
Address/Phone/Fax Nos.:

P. Noé Johnson, City Solicitor  
The Corporation of the City of Hamilton,  
Law Department, City Hall,  
P.O. Box 2040, 71 Main St. W.,  
Hamilton, Ontario. L8N 3T4  
Phone: (416) 546-4520 Fax: (416) 546-2142

SCHEDULE "A"

Property

All of Block 43  
Plan 62M-575

Owner's Interest

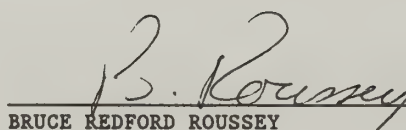
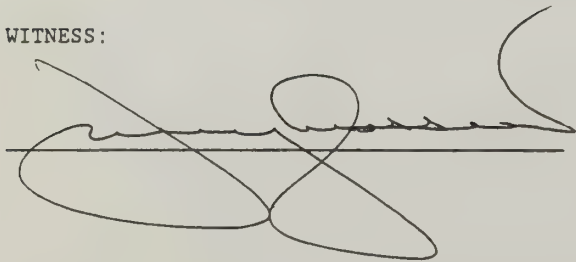
THE CORPORATION OF  
THE CITY OF HAMILTON

It is understood and agreed that:

- i) The Purchaser shall not alter the existing grade of the subject lands in any way without the prior written consent of the Hamilton-Wentworth Regional Transportation/Environmental Services Department.

Dated at Hamilton this 30 day of August 1993.

WITNESS:

  
BRUCE REDFORD ROUSSEY







2 (D)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 14

**REPORT TO:** Mr. K. Christenson  
Secretary, Transport & Environment Committee

**FROM:** Mr. D. Lobo  
Director of Public Works

**SUBJECT:** Construction of a Concrete Alley Between Fairfield Avenue North and Paling Avenue from Britannia Avenue to the North Limit of 226 Fairfield Avenue North and 255 Paling Avenue (PW93.1038)

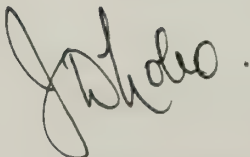
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SEP 20 1993

CITY CLERKS

**RECOMMENDATION:**

- a) That the construction of a concrete alley between Fairfield Avenue North and Paling Avenue from Britannia Avenue to the north limit of 226 Fairfield Avenue North and 255 Paling Avenue proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$20,000 with a City's Share of \$8,924 and an Owner's Share of \$11,076 all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.



---

D. Lobo,  
Director of Public Works



**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The proposed works are to be rated in accordance with the normal practice. Provision has been made for these works in the 1993 - 2002 Capital Budget. The estimated cost per metre for a concrete alley is \$95. If approved, this project will reduce the balances available in the City's Share to \$450,159 and the Owner's Share to \$460,741.

**BACKGROUND:**

We have received a sufficiently-signed petition from an abutting owner to have the above-noted alley paved under the terms of the Local Improvement Act. (see attached plan)

RPM/bg  
Attch.

cc: J. J. Schatz, City Clerk  
P. Noe Johnson, City Solicitor  
ATTN: S. Riley  
A. Ross, City Treasurer  
ATTN: N. Adhya  
G. W. Lawson, Commissioner of Finance  
V. J. Abraham, M.C.I.P., Director of Local Planning  
S. Reeder, Secretary, Finance and Administration Committee  
D. Y. Onishi, Director of Design and Construction, Roads Department

Z(E)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 9

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** E. M. Gill, P.Eng.  
Senior Director  
Roads Department

**SUBJECT:**


Incorporating certain City lands into various streets by By-Law. (R-93-71)

**RECOMMENDATION:**

- a) That the following City lands be incorporated into the streets as noted in Schedule "A":

Rambo Street	Parts 1 & 2	Plan 62R-11178
Acadia Drive	Block 39	Plan 62M-715
Elite Drive	Block 40	Plan 62M-715
Bow Valley Drive	Portion of Parts 7 & 8	Plan 62R-8380
Highridge Avenue	Portion of Parts 7 & 8	Plan 62R-8380 and
	Part 2	Plan 62R-9499

- b) That the By-Laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council.
- c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Laws.

  
\_\_\_\_\_  
E. M. Gill, P. Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

Cont'd...

**BACKGROUND:**

To complete the final street width or to provide access to newly registered subdivision developments, it is necessary to incorporate City lands into the road allowance as indicated below.

**SCHEDULE "A"**

<u>Incorporating into Street Name</u>	<u>Description of Lands being Incorporated</u>	<u>Financial Implications</u>	<u>Reason for being Incorporated</u>	<u>File No.</u>
Rambo Street	Part of Lot 3, Registered Plan 1059, designated as Parts 1 & 2, on Plan 62R-11178.	N/A	To complete to final width of Rambo Street in that area.	S726-153
Acadia Drive	Block 39, Plan 62M-715	N/A	To provide access and hook-up between Acadia Drive, Plan 62M-715 and Acadia Drive on a soon to be registered Plan of Subdivision adjacent and abutting to the south (commonly known as Rymal Square Estates - Phase #4).	S718-75
Elite Drive	Block 40, Plan 62M-715	N/A	To complete to final width of Elite Drive in that area with the soon to be Registered Plan of Subdivision adjacent and abutting to the south (commonly known as Rymal Square Estates - Phase #4).	S718-75

Cont'd...



SCHEDULE "A" (cont'd)

<u>Incorporating into Street Name</u>	<u>Description of Lands being Incorporated</u>	<u>Financial Implications</u>	<u>Reason for being Incorporated</u>	<u>File No.</u>
Bow Valley Drive	Part of Lot 24, Con- cession 2, in the geo- graphic township of Saltfleet, designated as the northerly 25.32m of Parts 7 & 8, on Plan 62R-8380.	N/A	To complete the final width of Bow Valley Drive in that area.	S610-01 S610-03
Highridge Drive	Part of Lot 24, Con- cession 2, in the geographic township of Saltfleet, desig- nated as;  a) All of Part 7, on Plan 62R-8380 (excepting the northerly 25.32m thereof),  b) All of Part 8, on Plan 62R-8380 (excepting the northerly 25.32m thereof), and  c) All of Part 2, on Plan 62R-9499.	N/A	To complete the final width of Highridge Avenue in that area.	S610-01 S610-03

cb:HS/KL  
encls.

cc/Mr. F. Angelici, Planning Department  
cc/Mr. M. Watson, Property Department

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE PARTS 1 & 2, PLAN 62R-11178  
INTO RAMBO STREET

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Rambo Street by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Rambo Street.

Part of Lot 3, Registered Plan 1059, designated as Parts 1 & 2, on Plan 62R-11178.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE BLOCK 39, PLAN 62M-715  
INTO ACADIA DRIVE

**WHEREAS** the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described below;

**AND WHEREAS** the said lands are owned by The Corporation of the City of Hamilton.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Part of Parcel Reserves -1, Section 62M-715.

Being all of Block 39, on Plan 62M-715.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1993.

City Clerk

Mayor





Mayor





2 (F)

CITY OF HAMILTON  
- RECOMMENDATION -

**DATE:** 1993 August 27

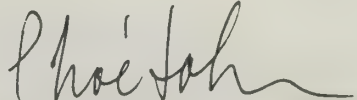
**REPORT TO:** Kevin Christenson, Secretary  
Transport and Environment Committee

**FROM:** P. Noé Johnson  
City Solicitor

**SUBJECT:** Local improvements of finished roadway and concrete curbs  
on Dulgaren Street - \$62,300.00

**RECOMMENDATION:**

That City Council enact the attached By-law to authorize construction of local improvements of finished roadway and concrete curbs on Dulgaren Street from Upper Sherman Avenue to approx. 72m easterly.

  
\_\_\_\_\_  
P. Noé Johnson

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

The construction of these local improvements was approved by Council on June 29, 1993, in adopting Item 51 of the 8th Report of the Transport & Environment Committee and Item 13 of the 13th Report of the Finance & Administration Committee. Regional Council authorized the consent to issue debentures on August 17, 1993.

:sr  
Att.

**THE CORPORATION OF THE CITY OF HAMILTON**

**BY-LAW NO. 93 -**

**To Authorize:**

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of finished roadway and concrete curbs on DULGAREN STREET from Upper Sherman Avenue to approx. 72m easterly, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

**WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 51 of the 8th Report of the Transport & Environment Committee on June 29, 1993;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton did adopt Item 13 of the 13th Report of the Finance & Administration Committee on June 29, 1993;

**AND WHEREAS** it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

**AND WHEREAS** notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

**AND WHEREAS** a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

**AND WHEREAS** the Council has obtained reports, estimates and statements required for the undertaking of the said works;

**AND WHEREAS** Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

**AND WHEREAS** the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligation limit prescribed by Ontario Regulation 710/92 (in force as of January 9, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$62,300.00.
2. The share or portion of the estimated cost of the works in the amount of \$26,950.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
  - (a) to the extent sufficient to provide an amount not exceeding \$26,950.00;
  - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation/Environmental Services is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this                      day of                      , A.D. 1993.

CITY CLERK

MAYOR





SCHEDULE "A"

The construction of finished roadway and concrete curbs on DULGAREN STREET from Upper Sherman Avenue to approx. 72m easterly at the costs not exceeding those set out below:

City's Share	\$ 35,350.00
Owners' Share	<u>26,950.00</u>
TOTAL ESTIMATED COST	<u>\$ 62,300.00</u>
Estimated Cost per metre frontage	\$ 275.00
Fifteen (15) annual instalments	





2(9)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 August 31

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** D. W. Vyce  
Director of Property

Doug Lobo  
Director of Public Works

T. Bradley  
Manager of Purchasing Division

**SUBJECT:** Awarding of Tender for Renovations to  
Ferguson Yard Staff Facilities Building

RECEIVED

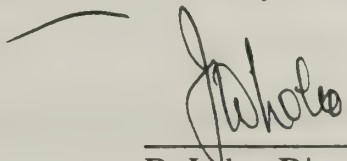
SEP 15 1993

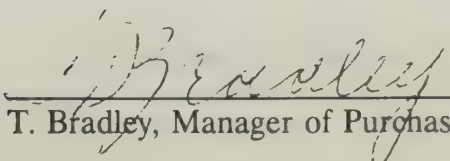
CITY CLERKS

**RECOMMENDATION:**

1. That approval be given enter into a contract with K. G. Baird General Contracting Ltd in the amount of Eighty Three Thousand Six Hundred and Seventy Dollars (\$83,670.00) for renovations to the Ferguson Yard Staff Facilities Building. Necessary funds are available in Account CF 5200 609341013
2. That a contract be entered into, satisfactory to the City Solicitor.
3. That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

  
\_\_\_\_\_  
D. W. Vyce, Director of Property

  
\_\_\_\_\_  
D. Lobo, Director of Public Works

  
\_\_\_\_\_  
T. Bradley, Manager of Purchasing

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Construction Costs .....	\$ 83,670.00
Consultant Fees .....	\$ 7,000.00
Permit, Testing, etc .....	\$ 2,800.00
Staff Fees .....	\$ 5,330.00
Contingency .....	<u>\$ 8,200.00</u>
Total Project Budget .....	\$ 107,000.00

**Note:** Lowest of six acceptable tenders received. Funds available in Accounts CF 5200 609341013.

Project approved by the Committee of the whole. Project No. 72 in the 1993-2002 Capital Budget Program on 1993 January 29 and by City Council 1993 February 4.

**BACKGROUND:**

1. **TENDER ANALYSIS**

N0.	CONSTRUCTION COMPANY	TENDER PRICE	TENDER FORM
1.	K. G. Baird General Contracting Ltd. Burlington	\$ 83,670.00	In Form
2.	Bestco Construction Company, Hamilton	\$ 83,995.00	Not In Form (Alternate Prices Missing)
3.	Bevco Homes Ltd. Ancaster	\$ 86,600.00	In Form
4.	G. S. Wark Limited, Hamilton	\$ 91,700.00	In Form
5.	James Kemp Construction Ltd., Hamilton	\$ 94,807.00	In Form
6.	Frid Construction Company Ltd. Hamilton	\$103,530.00	In Form
7.	Frank Bufalino & Sons Contracting St. Catharines	\$103,576.00	In Form
8.	Rockhead Construction, Hamilton	\$104,000.00	Not In Form (No Performance Bond)

**NOTE:** The Tender forms clearly stipulate that all blanks must be carefully filled in or the Tender will be declared improper.

2. **PROJECT DESCRIPTION**

Renovations to the existing 2,900 sq.ft., Public Works, Ferguson Yard Staff Facilities Building involves:

- .1 Removal and replacement of existing lockers, kitchen cupboards, janitors room, washroom fixtures and lunchroom windows.
- .2 New flooring to locker wash and lunchrooms.
- .3 Resurfacing of some existing walls.
- .4 Updating of ventilation, air-conditioning and electrical systems.
- .5 Re-painting of walls, ceilings etc., as required.

**NOTE:** Renovations to the washroom will also make it Barrier Free

c.c. Alderman V. Agro, Alderman, Ward 2  
Alderman W. McCulloch, Alderman, Ward 2  
D. Heintz, Project Maintenance Engineer  
D. Duncan, Manager Streets & Sanitation, Public Works  
A. Boes, Foreman, Ferguson Yard, Public Works  
Allan C. Ross, Treasurer  
P. N. Johnson, City Solicitor  
Philip R.A. Hooker, Manager, Corporate and Litigation Services  
D. Keba, Project Manager, Architectural Division





**CITY OF HAMILTON**  
**- RECOMMENDATION -**

*L: (H)*

**DATE:** 1993 September 15

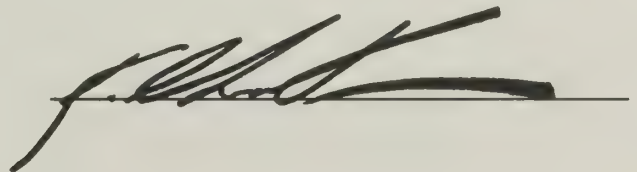
**REPORT TO:** Chairman and Members  
Transport and Environment Committee

**FROM:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**SUBJECT:** Information Reports

**RECOMMENDATION:**

That the attached list of Information Reports previously distributed to the Transport and Environment Committee, be received.

A handwritten signature in black ink, appearing to be 'J. Christenson', written over a horizontal line.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:** N/A

**BACKGROUND:**

Attachment





3 (a)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 09

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

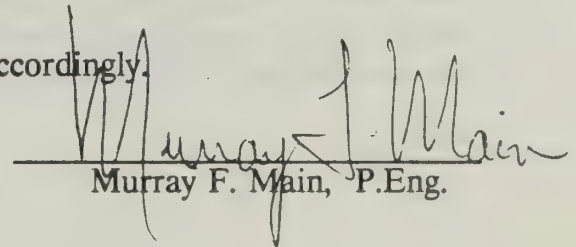
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Paisley Avenue South and South Oval - Intersection Control. [TEC-177-93]

**RECOMMENDATION:**

- a) That no action be taken on the request for four-way stop control at the intersection of Paisley Avenue South and South Oval; and
- b) That a "No Stopping" regulation be implemented on the west side of Paisley Avenue South commencing at South Oval and extending to a point 56 feet southerly therefrom; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The installation of unwarranted all-way stop control at locations such as this results in increased motor vehicle operating costs in order of \$10,000.00 annually. There are sufficient funds in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required corner clearance signs.

**BACKGROUND:**

Alderman Mary Kiss has advised of requests from area residents that four-way stop control be implemented at the intersection of Paisley Avenue South and South Oval due to two recent vehicular collisions and safety concerns at this intersection.

The subject intersection is a four-leg intersection, and presently, eastbound and westbound traffic on South Oval is required to stop for northbound and southbound traffic on Paisley. Traffic Department records indicate that the intersection has experienced an average of only 0.86 collisions per year over the past seven years. This is a reasonable collision record for this type of intersection.

Presently, there are four all-way stops within two blocks of the subject intersection including one approximately 200 feet to the south and another approximately 250 feet to the east. The Traffic Department would consider an additional stop on this short section of street to be over-restrictive and unnecessary.

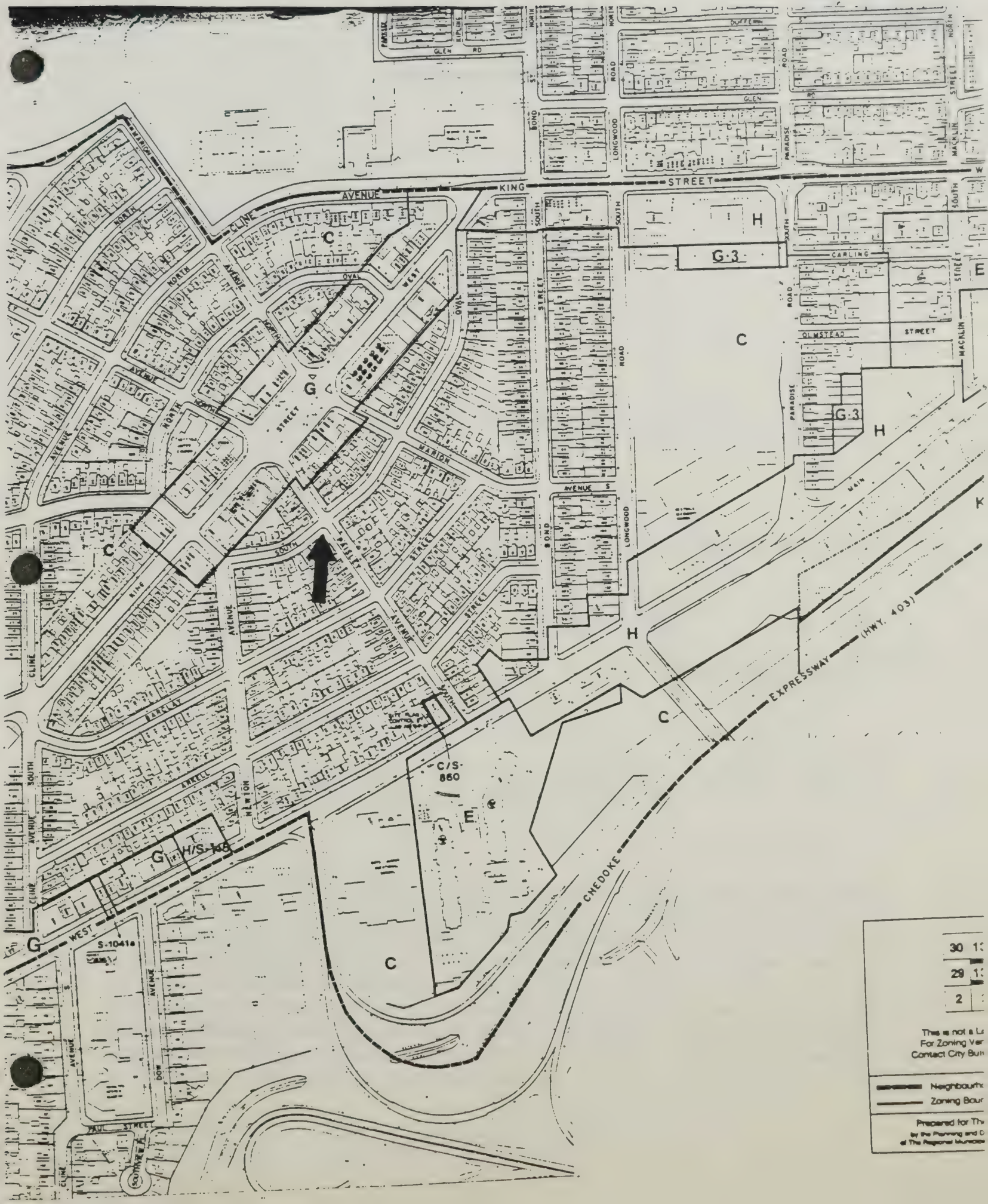
The Traffic Department has assessed this request and has its usual concerns respecting the use of unwarranted all-way stop control including the fact that there is no collision problem at this intersection, unwarranted stop signs have extremely harmful environmental affects, stop signs have no effect on the speed or volume of traffic and unwarranted stop signs create disrespect by the motorists to the extent that the compliance with stop signs is deteriorating every year.

For the above-mentioned reasons, the Traffic Department does not support the request for four-way stop control at the intersection of Paisley and South Oval.

The collisions that were referred to occurred on August 30 and September 03. Both collisions resulted due to drivers disobeying the existing stop signs on South Oval. However, a recent site investigation has revealed that the existing stop signs on South Oval are well located and readily visible. Notwithstanding, it was also noted that parked vehicles on the west side of Paisley, south of South Oval do obstruct visibility for eastbound motorists on South Oval attempting to enter the intersection, and therefore, the Traffic Department recommends that a corner clearance be implemented at this location.

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by the Planning and D  
of The Regional Municip





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CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 August 30

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

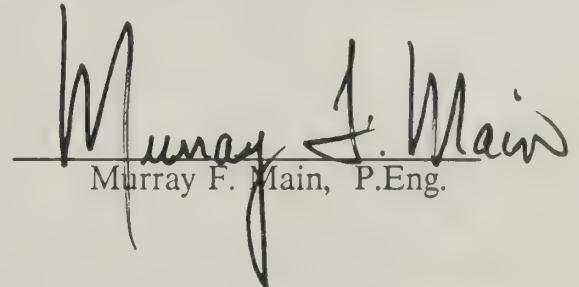
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Brucedale Avenue East and East 8th Street - Intersection Control. [TEC-202-93]

**RECOMMENDATION:**

That no action be taken on the request for four-way stop control at the intersection of Brucedale Avenue East and East 8th Street.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Erecting stop signs on East 8th Street at Brucedale Avenue East would result in increased motor vehicle operating costs in the order of \$10,000.00 per year.

**BACKGROUND:**

In report TEC-299-91 the Traffic Department reported respecting the intersection control on Brucedale Avenue at Prince George Street and at East 8th Street. It was determined that the intersection of Brucedale and Prince George met the criteria for all-way stop control because of its close proximity to two elementary schools and also, that it would be appropriate to reverse the direction of stop control at Brucedale and East 8th from northbound and southbound stops to eastbound and westbound stops to provide an adequate stop control pattern by stopping eastbound and westbound traffic at approximately two block intervals between Upper James and Upper Wellington Streets. These recommendations were approved by the City Council on 1992 February 11.

Alderman Terry Anderson has now forwarded to the Traffic Department a copy of a petition containing approximately 50 signatures requesting that four-way stop control be implemented at the intersection Brucedale and East 8th.

The Traffic Department has assessed this request and has its usual concerns respecting the use of unwarranted all-way stop control including the fact that there is no collision problem at this intersection, unnecessary stop signs have extremely harmful environmental affects, stop signs have no effect on the speed and volume of traffic, and unwarranted stop signs create disrespect by motorists to the extent that the observation of stop signs is deteriorating every year.

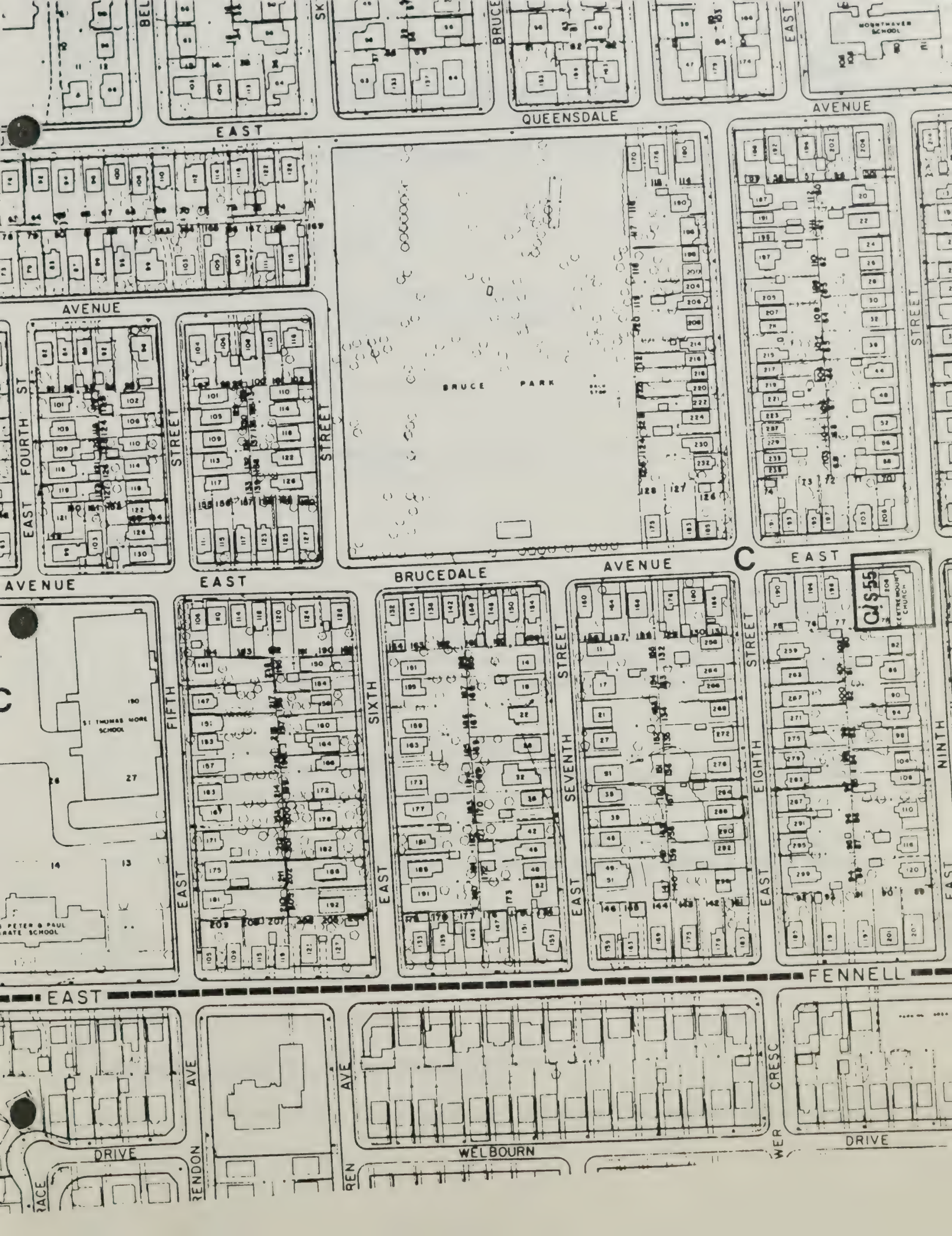
Records indicate that there has been only one reported collision at this intersection in the past six years and the collision occurred in 1990. This is a very good collision record for this type of intersection.

Northbound and southbound traffic on East 8th is required to stop at two of three intersections between Queensdale and Fennell, and prior to the switch in the direction of stop control was required to stop at all three of the intersections between Queensdale and Fennell. Stopping northbound and southbound traffic at all three of these intersections is considered to be over-restrictive and unnecessary.

For the above reasons, the Traffic Department does not recommend the implementation of four-way stop control at the intersection of Brucedale and East 8th.

*T. Anderson*  
MH/ca





ST. PETER & PAUL SCHOOL

QUEENSDALE AVENUE

BRUCE PARK

BRUCEDALE AVENUE

EAST

C/S 55  
ST. PETER & PAUL CHURCH

FENNEL DRIVE

WELBOURN DRIVE





4.

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 13

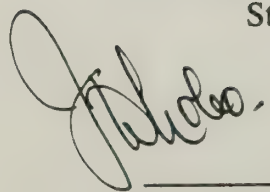
**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** Mr. D. Lobo  
Director of Public Works

**SUBJECT:** Green Streets Canada - Municipal Tree Planting  
Recognition Program

**RECOMMENDATION:**

- a) That the Tree Planting - Bare Root Centre No. 60404 and the Tree Planting - Large Caliper Centre No. 60402 item lines in the Public Works Department Streets Budget, not be considered as possible reduction packages during the 1994 current budget submissions so that the City of Hamilton can be eligible for an equal cost sharing program up to \$100,000.00 sponsored by Green Streets Canada - Municipal Tree Planting Recognition Program.
- b) That the Mayor and City Clerk be authorized on behalf of City Council to enter into an agreement with Tree Plan Canada (Green Streets Canada) confirming the City's commitment to the program in accordance with criteria attached in Schedule A.
- c) That the Law Department be authorized to prepare any required documentation relative to the City of Hamilton's involvement in the Tree Plan Canada (Green Streets Canada) program.

  
\_\_\_\_\_  
D. LOBO  
DIRECTOR OF PUBLIC WORKS

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Based on a 50/50 cost sharing arrangement, the Green Streets Canada plan could match the



City of Hamilton's annual tree planting program up to a maximum of \$100,000.00 for the 1994 fiscal period. The 1993 Current Streets Budget lists the available funds under the Tree Planting - Bare Root Centre No. 60404 at \$92,560.00 and the Tree Planting - Large Caliper Centre No. 60402 at \$32,140.00. Part of the criteria for the Green Streets Canada Tree Program is that these accounts stay at least proportionate to the previous year (1993). Failure to satisfy this criteria would nullify said agreement.

## **BACKGROUND:**

Green Streets Canada is Canada's first municipal tree planting recognition program. The program stems from an initiative of Tree Plan Canada in conjunction with National Community Tree Foundation (NCTF) a non profit, non governmental charitable organization established under Canada's Green Plan. The NCTF works in cooperation with Forestry Canada, as the administrative and funding arm of Tree Plan Canada.

Green Streets Canada was developed to acknowledge the important contributions municipalities make to the development and enhancement of our urban forests. The plan intends to enhance the municipality's tree planting budget by entering into a cost sharing agreement (50/50) for a share of 7.5 million that has been earmarked for this initiative. The program is a one time deal with no provisions for entering into any further agreement. Funding is awarded on a competitive basis to those municipalities that meet the Green Streets Canada criteria (see attached). One very important element listed in the criteria is the support and commitment of the community.

The City's annual tree planting program under the two centres has resulted in approximately 1150 trees of various sizes planted on the road allowance of residential properties in 1993 on a first come first served basis. If the City's application is approved, this could lead to an additional 500-600 trees available for planting in 1994. Given that the program includes a range of tree sizes, smaller stock ie. seedlings/whips would be grown and planted in our Parks Division nursery for a number of years to enhance survival rate and then planted permanently on the road allowance.

Upon approval of the recommendations listed in this report a commitment through the submission of a comprehensive tree planting program report will be forwarded along with our application to Tree Plan Canada.

RG/rb  
attachment

cc Mayor Morrow  
cc J. Pavelka, Chief Administrative Officer  
cc J. Schatz, City Clerk  
cc P. Noé-Johnson, City Solicitor  
cc B. Chrystian, Manager of Parks  
cc J. Pook, Horticulturalist

## **SCHEDULE A**

### **GREEN STREETS CANADA PROGRAM CRITERIA**

Description of past tree-planting activities.

Commitment that tree-planting budgets will be proportionate to previous year (Green Streets Canada contribution will increase existing budgets).

Agreement to a 50-50 cost-sharing.

A written commitment to the program from council, signed by the Mayor.

Community must agree to provide technical advice to the program and provide a care and maintenance program for trees planted.

Projects must have a community volunteer component.

Proposal must identify environmental benefits and convey them to the people.

Proposal should involve all tree sizes, from seedlings to whips and saplings to large trees.

Funding can be spread over more than one planting season, but should not exceed two years.

Communities will receive recognition and funding on a one-time basis only but they may still apply in other years as partners under the regular program.

Technical soundness of the proposal is essential.







OFFICE C

AUG 26 1993

REC. BY \_\_\_\_\_ DATE \_\_\_\_\_  
REF'D. TO   *ES*   DATE \_\_\_\_\_  
REF'D. TO \_\_\_\_\_ DATE \_\_\_\_\_  
REF'D. TO \_\_\_\_\_ DATE \_\_\_\_\_

ACTION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CORPORATION C

OFFICE OF THE  
TOWN CLERK

TOWN HALL, 60 MAIN STREET, P.O. BOX 8584, DUNDAS, ONTARIO L9H 5E7  
TELEPHONE: (416) 628-6327 FAX: (416) 628-5077

August 20, 1993

5.

City of Hamilton,  
Office of the Clerk,  
71 Main Street West,  
Hamilton, Ontario.  
L8N 3T4

Attention: Mr. Joseph Schatz, City Clerk

Re: Regulations Respecting Waste Reduction  
Our File No. E07

Dear Mr. Schatz:

Please be advised that the enclosed report of the Town Administrator was considered by the Physical Services Committee on August 16th at which time the attached recommendation was made.

The Town Council endorsed this Committee recommendation at its meeting on August 16, 1993.

Would you please present this matter to Hamilton City Council for its consideration and support.

Yours truly,

(Ms.) Susan L. Steele, A.M.C.T.  
Town Clerk

SLS:jr

Attachment

cc: Mr. D. Varley, Administrator

PHYSICAL SERVICES COMMITTEE REPORT 10-93

THAT:

5.        1.)        The Minister of Environment be requested to extend by at least two years the requirement for municipalities to implement composting systems under Part 5 of the amended regulations of the Environmental Protection Act respecting leaf and yard waste composting sites.
- 2.)        The Regional Municipality of Hamilton-Wentworth and its constituent Area Municipalities be circulated with this report and asked to support the recommendations.
- 3.)        A copy of Administrator's Report #93/41 be forwarded to the Minister of the Environment for information and to the Region's MPPs seeking their support.



# 70-93

TOWN OF DUNDAS  
STAFF REPORT

ADMIN #93/41

TO: Chairman and Members of the Physical Services Committee

FROM: David J. Varley, Administrator

DATE: August 11, 1993.

SUBJECT: Regulations Respecting Waste Reduction

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Introduction

The Ministry of the Environment and Energy has circulated draft regulations under the Environmental Protection Act. These new, additional regulations are to assist the Province in reducing the amount of waste going to landfill by fifty percent by the year 2000 (the base year being 1990).

There is one regulation which has the potential of impacting on Dundas quite substantially and should be addressed immediately. The new regulation that Council should review at this time relates to leaf and yard waste composting sites. The regulations require Dundas to establish a leaf and yard waste composting site. The regulations require this site to be fully operational not later than July 1, 1994. The regulations detail how the composting site is to be managed. The requirement for the Town to establish a site is set out in Schedule 'A' to this report and the various regulations which dictate how the site will be managed are attached as Schedule "B". The two primary issues to discuss at this time relate to the cost of complying with the regulations at a time when revenues are being reduced and jurisdictional matters which have yet to be resolved.

According to the regulations a leaf and yard waste compost site will have to be found, purchased, engineered and procedures and personnel put into place to manage it by July 1994. Because the volume of yard waste is not known and will require some study there is no way, at this time, to determine what size of site will be required. The second issue that relates to cost is the method of collection. Without some study, the most appropriate method can not be determined. Depending on the location of these sites, municipal pickup of the waste material may be required. There will be a considerable cost for that additional service. This work, in addition to actually finding a suitable site, cannot be done by July of 1994. This is inadequate lead time.



## Jurisdiction

There are jurisdictional issues to be addressed. There does not seem to have been consideration given to the Regional Municipality of Hamilton-Wentworth Act. The Regional Act reads, in part, as follows:

50. (1) In this section, "waste" includes ashes, garbage, refuse, domestic waste, industrial solid waste or municipal refuse, and such other waste as may be designated by-bylaw of the Regional Council.

(2) The Regional Corporation shall provide facilities for the purpose of receiving, dumping and disposing of waste, and no area municipality shall provide such facilities.

By-law R80-098 is a Regional by-law which classifies waste. In that by-law, two definitions are relevant to this discussion.

Municipal Waste: Street sweepings, tree clippings, and the like, picked up in the Region in association with Municipal maintenance activities.

Residential Waste: Waste picked up from residences in the Region by vehicles owned by each of the Area Municipalities of the Region or by Private Haulers under contract with such Area Municipalities.....normally consisting of.....grass cuttings, garden refuse and other articles ordinarily associated with the use of a residential dwelling unit.

If Dundas Council was to adhere to the proposed regulations it would be in contravention of the Regional Act. In other words Dundas is prohibited by the Regional Act from establishing the facilities contemplated by the new regulations.

## Course of Action

As beneficial an idea as composting yard waste is, at this time, I am recommending that Council request the Ministry of the Environment and the Environment to extend the implementation date beyond July 1, 1994 so that these jurisdictional matters can be sorted out. If it is determined that the Town must provide these facilities there is land to be purchased, engineered and staffed. Funding assistance will be required. As well, the method of collection must also be decided.

Council Members are very aware of the reduced funding and greatly increased expenditures resulting from various policy changes of the Provincial Government. There is certainly nothing budgeted in 1993 to do this work and it will not be easy to find the money in 1994.

Because of both the jurisdictional issues that have to be sorted out and the work that must be done regarding the site itself, it is being recommended that Council approach the Minister of the Environment seeking a substantial deferral of the effective date for this particular regulation.

#### Related Issues

Another, related matter that should be considered is legislation currently before the legislature known as Bill 7. This Bill amends the Regional Acts as well as the Municipal Act and gives, as of January 1, 1997, Regional Municipalities sole authority over matters related to waste reduction. Anything thing that Dundas and/or the other area municipalities were to do regarding waste reduction - such as establish a new compost site - might not "fit" into a greater Regional plan. For this reason as well, a delay in implementing these regulations should be sought.

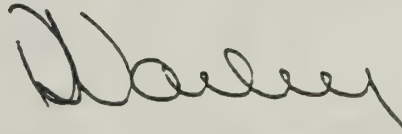
#### Recommendation

The Minister of Environment be requested to extend by at least two years the requirement for municipalities to implement composting systems under Part 5 of the amended regulations of the Environmental Protection Act respecting leaf and yard waste composting sites.

The Regional Municipality of Hamilton-Wentworth and its constituent Area Municipalities be circulated with this report and asked to support the recommendations.

A copy of Administrator's Report ADMIN#93/41 be forwarded to the Minister of the Environment for information and to the Region's MPPs seeking their support.

Respectfully submitted,



David J. Varley,  
Administrator

DJV:brs



## APPLICATION

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8.--(1) A municipality that is required to establish a blue box waste management system shall do so forthwith subject to subsections (2) and (3).

(2) A municipality in Southern Ontario is not required to establish a system before the 1st day of July, 1994.

(3) A municipality in Northern Ontario is not required to establish a system before the 1st day of July, 1996.

9.--(1) A municipality that is required to establish a blue box waste management system shall submit an annual report on the operation of the system to the Director on or before the 1st day of February in every year.

(2) The annual report must set out the name of the municipality and the type and amount of wastes that were collected or accepted in the previous calendar year and a description of the information provided that year in accordance with clause 7(2)(g).

## Leaf and yard waste systems

10.--(1) A local municipality that has a population of at least 5,000 shall establish, operate and maintain a leaf and yard waste system.

(2) The leaf and yard waste system must include,

(a) the provision of home composters to residents by the municipality at cost or less;

(b) the provision of information to residents,

(i) publicizing the availability of home composters,

(ii) explaining the proper installation and use of home composters and the use of compost,

(iii) encouraging home composting.

11. The leaf and yard waste system of a local municipality that has a population of at least 50,000 must include the collection or acceptance of leaf and yard waste in a manner that is reasonably convenient to the generators of leaf and yard waste in the municipality.

12.--(1) This section applies to the leaf and yard waste system of a local municipality required under this Part if,



- (a) the municipality has a population of at least 50,000; or
- (b) the municipality is served by a waste management system owned by or operated by or for the municipality that collects source separated leaf and yard waste or accepts such waste from the public at a waste disposal site.

(2) A leaf and yard waste system to which this section applies must also include,

- (a) the transportation of collected or accepted leaf and yard waste not used in accordance with clause (4) (b) or (c) to a leaf and yard waste composting site as defined in Part V;
- (b) the provision of a leaf and yard waste composting site as defined in Part V or the provision of the services of such a site;
- (c) the provision of information to promote effective source separation of leaf and yard waste and to promote the full use of the composting system;
- (d) reasonable efforts to ensure that the compost produced is used as a soil conditioner.

(3) A leaf and yard waste system to which this section applies must be adequate to deal with the anticipated leaf and yard waste.

(4) A leaf and yard waste system to which this section applies must include measures to ensure that the leaf and yard waste accepted by the system is either,

- (a) composted at a leaf and yard waste composting site as defined in Part V or at another site where the waste can be legally composted;
- (b) applied directly to land by the operator of the system; or
- (c) transported to a person who will directly apply the waste to land.

13.-(1) A municipality that is required to establish a leaf and yard waste system shall do so forthwith subject to subsections (2) and (3).

(2) A municipality in Southern Ontario is not required to establish a system before the 1st of July, 1994.

(3) A municipality in Northern Ontario is not required to establish a system before the 1st day of July, 1995.

14.-(1) A municipality that is required to establish a leaf and yard waste system shall submit an annual report on the operation of the system to the Director on or before the 1st day of February in every year.

(2) The annual report must set out the name of the municipality, its population and the name and telephone number of a person who can answer questions about the report.

(3) The annual report must also set out the following information relating to the operation of the system in the previous calendar year:

1. Any rules the municipality followed in providing home composters to residents.
2. The number of home composters provided to residents in accordance with clause 10(2) (a).
3. A description of the information provided to residents in accordance with clause 10(2) (b).

(4) If section 12 applies with respect to the leaf and yard waste system, the annual report must also set out the following information:

1. The amount of leaf and yard waste that was accepted or collected.
2. The amount of leaf and yard waste that was transported for composting.
3. The amount of leaf and yard waste that was directly applied to land or that was transported for direct application to land.
4. A description of the information provided in accordance with clause 12(2) (c).

#### Exemptions

15.-(1) A system required under this Part is exempt from sections 27 and 41 of the Act.

(2) The exemption in subsection (1) applies only to the parts of the system that are necessary to comply with this Regulation and any parts of the system that are ancillary to such parts.



## LEAF AND YARD WASTE COMPOSTING SITES

15

26. This Part applies to a municipal waste recycling site whose only function is to be used to receive and compost leaf and yard waste.

27. In this Part, "leaf and yard waste composting site" means a waste disposal site to which this Part applies.

28. Each operator and owner of a leaf and yard waste composting site shall ensure that the site is operated in accordance with the following requirements:

1. Only leaf and yard waste and wood may be accepted at the site.
2. Leaf and yard waste may not be stored for more than four days before it is composted.
3. The total amount of compost on the site that is in or has completed the curing stage shall not exceed eighteen times the monthly process design capacity of the site.
4. The leaf and yard waste accepted at the site shall be composted so that the temperature inside the composting mass is at least 55 degrees Celsius,
  - i. on at least three different days if the waste is being composted in a vessel,
  - ii. on at least fifteen different days in any other case.
5. If the waste is being composted using turned windrow composting, the windrow shall be turned at least five times at regular intervals after the temperature first reaches 55 degrees Celsius and the temperature must reach at least 55 degrees Celsius after the fifth turning.
6. During composting, the composting mass shall be provided with ventilation adequate to ensure that aerobic conditions are maintained.
7. After the requirements in paragraphs 4 and 5 have been satisfied the compost shall be cured for a period of six months.
8. During curing, a composting mass shall be turned at least once a month.
9. The temperature of each composting mass shall be measured daily until the requirements in paragraphs



4 and 5 have been satisfied. During curing the temperature shall be measured weekly.

10. Temperatures shall be measured at a point one metre within the composting mass.
11. A record containing information about each composting mass shall be kept. The information shall include the temperatures of the mass and when they were measured, when the mass was turned, information about the curing process and details about any significant problems that occurred during the composting or curing. Information about a composting mass shall be retained in the record for at least three years after the mass was cured.
12. A plan for dealing with odour problems shall be prepared before waste is first accepted at the site and shall be updated as circumstances warrant. The plan shall include procedures, which shall be followed, for dealing with complaints from the public and for investigating and remedying odour problems.
13. A record of all complaints from members of the public about odours shall be kept together with a record of how each complaint was dealt with.
14. Compost that has been cured shall be sampled and analyzed for the things listed in Column 1 of Table 1 in accordance with paragraphs 15 and 16. Compost may not be removed from the site unless it is part of accumulated compost that has been so sampled and analyzed.
15. The first samples shall be taken before 10,000 cubic metres of compost has been accumulated, or before one year has passed, whichever first occurs after the first receipt of waste at the site. Thereafter samples shall be taken before an additional 10,000 cubic metres is accumulated, or before one year has passed, whichever occurs first after the most recent samples. However, if all the analyses in the two years preceding the most recent analysis are consistent with that analysis, samples need only be taken before 30,000 cubic metres is accumulated, or before one year has passed, whichever occurs first after the most recent samples.
16. Samples shall be taken by taking ten grab samples from diverse points within the accumulated compost.

Each grab sample must contain at least twenty litres of compost and must be taken from a point at least one metre inside the accumulated compost. The analysis shall be of a composite of those samples.

17. A record shall be kept of the analyses of compost. Any laboratory reports received shall be kept as part of the record. A record of an analysis shall be kept for at least three years after the analysis is performed.
  18. Controlled compost, as defined in section 30, may not be removed from the site except for direct shipment to the intended user of the compost in accordance with paragraphs 19 and 20.
  19. A record shall be kept of the name, address and telephone-number of each person to whom controlled compost is shipped. The record shall be kept for at least ten years after the shipment.
  20. The person to whom controlled compost is shipped shall be given a copy of a chemical analysis of the compost and a notice that states that the compost is controlled compost and that sets out the terms and conditions of the compost's exemption from Part V of the Act.
  21. The notice referred to in paragraph 20 must be on a form provided by the Ministry or in the same format as such a form.
29. Compost produced at a leaf and yard waste composting site that has been analyzed in accordance with paragraphs 14 to 16 of section 28,
- (a) is designated as waste if, according to the analysis, the compost contains a substance in Column 1 of Table 1 in a concentration greater than the concentration opposite in Column 2; and
  - (b) is exempt from Part V of the Act and the regulations relating to Part V of the Act, in any other case.
- 30.-(1) In this section, "controlled compost" means compost that is designated as waste under clause 29(a) and that, according to the analysis performed in accordance with paragraphs 14 to 16 of section 28, does not contain any substance in Column 1 of Table 1 in a concentration greater than the concentration opposite in Column 3.



(2) Controlled compost is exempt from Part V of the Act and the regulations on the following terms and conditions:

1. The controlled compost is not used except as allowed under paragraphs 2 and 3.
2. The controlled compost may be used as compost in soil if,
  - i. the place where the compost is used is within 200 metres of any part of a municipal water system or a municipal sewage system,
  - ii. the use of the compost will not increase the concentration in the soil of any material in Column 1 of Table 1 above the concentration, if any, opposite in Column 4, and
  - iii. the person who uses the compost keeps a record, for at least ten years after using the compost, of the date the compost was used, the amount of compost used and the chemical analysis of the compost received from the producer of the compost.
3. The controlled compost may be used as a cover material at a landfilling site.

31. A leaf and yard waste composting site is exempt from sections 9, 27, 40 and 41 of the Act if all buildings and processing or storage areas that are part of the site are at least 100 metres from the boundaries of the parcel of land upon which the buildings and processing or storage areas are located and from any lake, river, pond, stream, reservoir, spring or well.



6.

**CITY OF HAMILTON  
- INFORMATION -**

**DATE:** September 14, 1993

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** P. Noé Johnson  
City Solicitor

L.C. King, P.Eng.  
Building Commissioner

**SUBJECT:** 355 MacNab Street North - Building Permit for  
Private Garage

**BACKGROUND:**

At its meeting held August 23, 1993, the Transport and Environment Committee discussed the issue of a storage garage erected in the rear yard of 355 MacNab Street North.

After consideration and following an in-camera session, the Committee asked for a report specifically addressing the following issues:

1. Why no one would be notified that the alleyway was to be closed to residents after it had been open for almost 100 years?

**There is no record of an alleyway established at this location. The garage was erected on private property.**

2. Whether the owner of 355 MacNab Street North changed plans midstream by enlarging his property from the original 30' x 117' to 30' x 123'?

**The owner did not change plans by enlarging his property. A survey on file with the Building Department indicates a lot size of 30.04' x 121.45'.**

3. If the owner did change plans as per question #2, how did this happen?

**N/A**

4. If the owner did change plans as per question #2, who is responsible?

**N/A**



URBAN/MUNICIPAL  
CA40N HBL A05  
CS1TG  
1993



1993 October 14

NOTICE OF MEETING

TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, 1993 October 18  
9:30 o'clock a.m.  
Room 233, City Hall

THE URBAN MUNICIPAL COLLECTION  
2ND FLOOR  
HAMILTON PUBLIC LIBRARY

  
Kevin C. Christenson, Secretary  
Transport and Environment Committee

AGENDA

1. DELEGATION: (9:30 o'clock a.m.)
  - (a) By-law to stop-up, close and to authorize the sale of parts of Belview Avenue, designated as Parts 2 and 3 on Plan 62R-12325
    - Ms. H. Pelton, Solicitor for Glendale Spinning Mills
    - Mr. M. Wojtowicz, Plaza Nissan
  - (b) Intersection of Brucedale Avenue East and East 25th Street - Intersection Control - Alderman H. Merling/Alderman T. Anderson
  - (c) Intersection of Brucedale Avenue East and East 8th Street - Intersection Control - Alderman H. Merling/Alderman T. Anderson

URBAN M  
OCT 1993  
GOVERNMENT DOCUMENTS





2. CONSENT AGENDA

3. COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES

Management Board Secretariat Consolidation of  
PCB at Hamilton Psychiatric Hospital

4. CITY SOLICITOR

355 MacNab Street North - Building Permit for Private Garage

5. OTHER BUSINESS

6. ADJOURNMENT





## Transport and Environment Committee Outstanding Items

Item No.	Items	Original Date	Action	Status
1.	Criteria and report of School Crossing Guards	1992 January 6	Director of Traffic Services	Comprehensive Report Pending
2.	Part-time Turn Prohibition James Mountain Road to Markland Street	1992 February 3	Commissioner of Transportation/ Environmental Services	Report Pending Public Meeting
3.	Intersection of Flatt Avenue and Glenside Avenue	1992 August 17	Ald. M. Kiss	Tabled
4.	Intersection of Franklin Avenue and Longwood Road North	1992 August 17	Ald. M. Kiss	Tabled
5.	Downsizing Sanitation Crews from Three Men to Two Men	1993 March 1	C.A.O. Director of Public Works Commissioner of Human Resources	Prepare Feasibility Study
6.	1 Hunter Street Disabled Parking	1993 April 5	Director of Traffic Services	Prepare Report
7.	Three-way Stop - Mount Pleasant Drive and Pearson Avenue	1993 July 19	Director of Traffic Services	Report Back in 6 months
8.	Policy requesting Boulevard Parking for One, Two and Three Family Dwellings	1993 July 19	Director of Traffic Services	Prepare Report
9.	No. 204 Chesley Street Development Costs	1993 September 20	Commissioner of Transportation/ Environmental Services	Prepare Report (November Meeting)

Kevin C. Christenson, Secretary  
1993 September 20



1(a)

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 September 9

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee


**FROM:** E. M. Gill, P.Eng.  
Senior Director  
Roads Department

**SUBJECT:**

By-Law to stop-up, close and to authorize the sale of parts of  
Belview Avenue, designated as Parts 2 and 3, on Plan 62R-12325 (R-93-73)

**RECOMMENDATION:**

- a) That the appropriate By-Law for the closure and sale of a portion of Belview Avenue, being designated as Parts 2 and 3, on Plan 62R-12325, be forwarded to City Council for enactment.
- b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Law.

  
\_\_\_\_\_  
E. M. Gill, P. Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

- a) The City Council at its meeting on 1993 July 27, adopted Items 7 and 8 of the 10th Report of the Transport and Environment Committee, which authorized the City to stop-up, close and sell part of the Public Highway being part of Belview Avenue (as established by City of Hamilton By-Law No. 1312).

Cont'd...



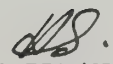
- page 2 -  
1993 September 9

**By-Law to stop-up, close and to authorize the sale of parts of  
Belview Avenue, designated as Parts 2 and 3, on Plan 62R-12325**

***BACKGROUND*** (Cont'd):

- b) The City Council approved the sale of the stopped and closed portions of Belview Avenue designated as
  - i) Part 2, Plan 62R-12325 to Barrelco Incorporated for the sum of \$5,000; and,
  - ii) Part 3, Plan 62R-12325 to Glendale Realty Holdings Incorporated for the sum of \$5,000.

We have advertised the Public Notice for four (4) consecutive weeks in the Hamilton Spectator as required by Section 301 of the Municipal Act. To date, no objections have been received. Therefore it is necessary to pass this By-Law in order to complete the sale.

  
cb:HS/KML  
Encls.

cc: Mr. F. Angelici, Planning Department  
cc: Mr. M. Watson, Property Department

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO STOP-UP, CLOSE AND AUTHORIZE THE SALE OF  
PART OF BELVIEW AVENUE DESIGNATED AS  
PARTS 2 & 3, PLAN 62R-12325

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Items 7 and 8 of the 10th Report of the Transport and Environment Committee on 1993 July 27, authorized the City to stop-up, close and sell portions of Belview Avenue, being more particularly described as Parts 2 and 3, on Plan 62R-12325;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS Notice of the City's intention to pass this By-Law has been published as required by Section 301 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of highway described as;

Parts of Belview Avenue (as established by City of Hamilton By-Law 1312),  
designated as Parts 2 and 3, on Plan 62R-12325,

City of Hamilton

Regional Municipality of Hamilton-Wentworth

are hereby stopped and closed.

2. That subject to the easements provided for in paragraph three below,
  - a) The soil and freehold in that portion being closed described as Part 2, on Plan 62R-12325, be sold to Barrealco Incorporated for the sum of \$5,000.00 in accordance with the terms and conditions of an agreement dated 1993 June 28.
  - b) The soil and freehold in that portion being closed described as Part 3, on Plan 62R-12325, be sold to Glendale Realty Holdings Incorporated for the sum of \$5,000.00 in accordance with the terms and conditions of an agreement dated 1993 June 28.
3. That the City deed on easement over Parts 2 and 3, on Plan 62R-12325 to the Regional Municipality of Hamilton-Wentworth, Union Gas Limited and Bell Telephone Company before this sale take place.

**To stop-up, close and authorize the sale of part of Belview Avenue  
designated as Parts 2 & 3, Plan 62R-12325**

4. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

**PASSED** this

day of

A.D. 1993

City Clerk

Mayor



# CITY OF HAMILTON

## - INFORMATION -

**DATE:** 1993 October 12

**REPORT TO:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** D. W. Vyce  
Director of Property

D. Lobo  
Director of Public Works

**SUBJECT:** By-Law to Stop-up, Close and Sell  
Parts of Belview Avenue, designated  
as Parts 2 and 3, 62R-12325  
(Glendale Spinning Mills)

RECEIVED

OCT 14 1993

CITY CLERKS

### BACKGROUND:

In adopting Item 26(a) and (b) of the 5th Report of the Transport and Environment Committee, City Council on April 14, 1992 authorized staff to take the appropriate action to close and sell Parts 2 and 3, 62R-12325, parts of Belview Avenue, to Glendale Spinning Mills.

Subsequently, on July 27, 1993, City Council, in adopting Item 7 and 8 of the 10th Report of the Transport and Environment Committee, endorsed the documentation to sell the said lands to Glendale Spinning Mills subject to the necessary by-laws being prepared and circulated in the usual manner.

The by-law was presented to the September 20, 1993 meeting of the Transport and Environment Committee for a public meeting. At that time, a Plaza Nissan representative appeared to voice concerns over this closure. The Committee authorized staff to bring back a report on this matter after meeting with the affected parties.

In accordance with the instructions of the Transport and Environment Committee, staff of the Public Works Department and Property Department met with Mr. Michael Wajtowicz of Plaza Nissan on September 27, 1993, in order to listen to their concerns regarding the road closure. Objections result from the following:

1993 October 12

Transport and Environment Committee

Page 2

1. Due to the size of their lot, there is limited access for customer parking and their inventory of vehicles, therefore, customers and employees use that portion of Belview Avenue proposed for closure.
2. Transport carriers of new inventory use Belview Avenue for off-loading and manoeuvring.
3. There is a concern that if Belview Avenue is closed up to their southern property line, there will be a problem with snow removal when Glendale installs a fence at the northern point of the road being closed.

The Traffic Department and Hamilton Street Railway staff, who were also present for the first part of the meeting, were willing to pursue, for consideration, the relocation of a bus stop to a point further east of its current location in order to allow the transport trucks delivering new vehicles to Plaza Nissan to off-load from Barton Street rather than Belview Avenue. Mr. Wajtowicz advised that although good intentions, this would not solve their major problem of customer parking and service.

The Property Department questioned whether reducing the amount of road to be closed was of any benefit? However, Plaza Nissan didn't think that this would solve the problem and would prefer that the application for the entire road closure be denied.

After leaving the Nissan dealership, Mrs. Milsome and Mr. Watson met with Mr. David Hamby of Glendale Spinning Mills. Mr. Hamby advised that he and Mr. Wajtowicz met on Friday, September 24, 1993 to discuss their mutual problems.

Mr. Hamby reiterated the reasons for his company wanting the road closed and the solutions he offered to Plaza Nissan are as follows:

1. Glendale requires the road to be closed to use the land within the roadway for storage of tractor trailers when they have their semi-annual sales. This is due to the fact the City is insisting that their rear lot be used for a truck drivethrough for loading and unloading purposes. This is to prevent the trucks from backing down Primrose Avenue.
2. They propose to install a gate on the boundary of the road being closed which would increase security on their site.
3. With the road closed, they will have no parking on this part of Belview Avenue which will improve truck manoeuvring, especially in the winter.

1993 October 12

Transport and Environment Committee

Page 3

Mr. Hamby further advised that he offered Plaza Nissan the opportunity to have their employees park on Glendale's parking lot and he would cooperate with their tractor trailer drivers when they need to off-load the new cars.

The option of only partially closing of Belview Avenue was discussed and Mr. Hamby advised that his firm would require the entire length of road requested in the application.

Further, in adopting Item #17 of the 5th Report of the Planning and Development Committee, City Council on March 7, 1993 approved the lease agreement with Canadian Pacific Ltd. for their lands required to provide a wider drivethrough for Glendale Spinning Mills. Included in the above resolution was the approval for the Use Agreement whereby Glendale agrees to use the new drivethrough and take the necessary action to direct their truck traffic from Barton Street through Belview Avenue and then into their own property.

In addition, Glendale Spinning Mills insisted that the Use Agreement contain a paragraph which states that if the road closure and sale of Parts 2 and 3, Plan 62R-12325, to Glendale does not take place, then Glendale has the right to terminate the Use Agreement.

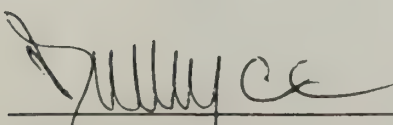
Glendale's solicitor was informed that the City could not guarantee that the road would be closed and sold to Glendale as the City must follow the procedures set down in the Municipal Act which includes circulating the road closure to property owners within 400 feet and giving said property owners an opportunity to object to the closure.

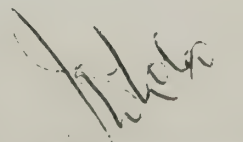
Notwithstanding Glendale's insistence on this particular clause being placed in the Use Agreement, the City proceeded with the necessary approvals and relocation of the rail tracks in order to improve the routing of trucks in this neighbourhood thus making the area safer for children.

Staff returned to Plaza Nissan to discuss the solutions offered by Mr. Hamby. Mr. Wajtowicz advised that the proposed solutions do not address the major issue with their operation which is to provide customers with easy and close access to their site.

In summary, there appears to be no obvious solution satisfactory to both sides, and as a result, this matter is back to the Committee for consideration.

Attached as Schedule "A" is a chronology of events leading up to the recommendation to close a portion of Belview Avenue.

  
\_\_\_\_\_  
D. W. Vyce  
Director of Property

  
\_\_\_\_\_  
D. Lobo  
Director of Public Works



1993 October 12  
Transport and Environment Committee  
Page 4

MCJW/klb  
Attach.

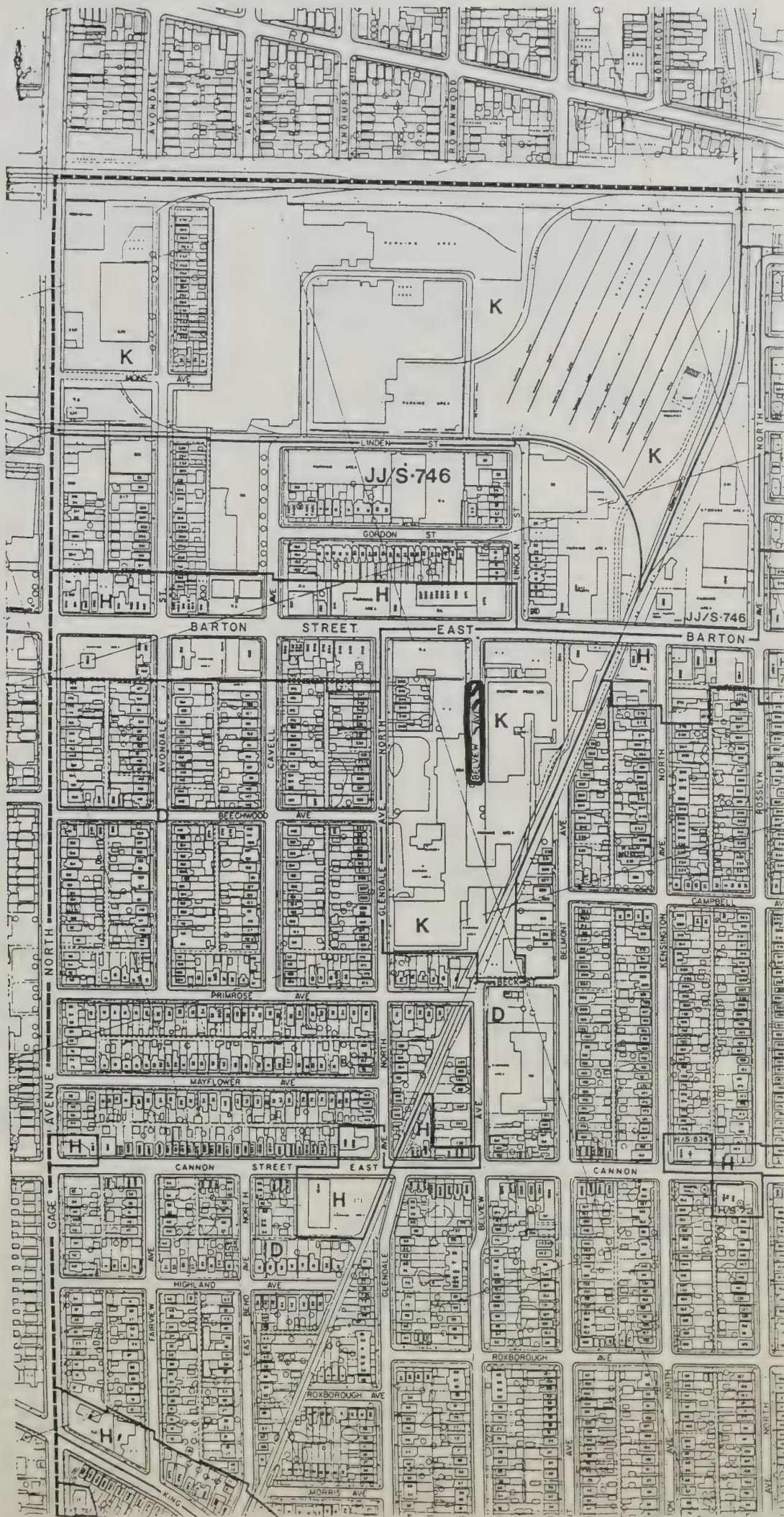
c.c. Robert M. Morrow, Mayor

J. Pavelka, Chief Administrative Officer

P. Noé Johnson, City Solicitor  
**Attention: D. Powers**

M. F. Main, P. Eng., Director of Traffic Services  
**Attention: M. Hazel**

Geoff Aston, Director of Programming & Development, Roads Department







**GLENDALE SPINNING MILLS**  
**CHRONOLOGY**

- |                         |   |
|-------------------------|---|
| <b>1988 February 10</b> | Crown Point West/Stipeley Citizens' Advisory Committee Meeting - approved closing of Beck Street and a portion of Belview Avenue including road closures for the purpose of constructing Belview Park.                |
| <b>1988 March 11</b>    | Parks and Recreation Committee approved design concept for Belview park including road closures.  |
| <b>1988 May 24</b>      | Engineering Department - notices of road closures - final day (one opposed).  |
| <b>1988 July 13</b>     | Transport and Environment Committee approved road closures.   |
| <b>1988 July 20</b>     | Staff from Traffic, Regional Engineering and Community Development review truck access and consensus was to close roads and trucks to back down Primrose Avenue with use of a flagman.                                |
| <b>1988 July 26</b>     | City Council directs City Solicitor to prepare by-law for the closing of the roads.   |
| <b>1989 August 15</b>   | Belview Park Tender Close - Recommendation to the Planning and Development Committee for a purchase order for a successful bidder.  |
| <b>1989 October</b>     | Construction Start.   |
| <b>1989 November 17</b> | Letter to Glendale Spinning Mills from Traffic - Notice of complaints from residents as trucks were backing down Primrose Avenue and suggestion to utilize flagman.   |
| <b>1990 January 26</b>  | Traffic memorandum to Alderman Hinkley recommending:<br><ol style="list-style-type: none"><li>1. re-locating loading to utilize a portion of the Park or,</li><li>2. utilizing flagman to back down street.</li></ol> |
| <b>1990 February 02</b> | Glendale Spinning Mills letter to Alderman Hinkley - requesting truck access to Park for manoeuvring of trucks.   |

- 1990 May 30** Public Meeting held to discuss problems of truck turning and access to Glendale Spinning Mills. Public were unanimous that no part of the Park should be lost to the Spinning Mills. Two staff from Glendale Spinning Mills were in attendance.
- 1990 October 15** Letter from Engineering Department, to Mr. Pelland, C.P. Rail, regarding feasibility of moving the tracks to the east to allow for trucks to drive on to C.P. land and around the Spinning Mills buildings from the north to the south loading area - positive response received.
- 1991 May 15** Alderman Hinkley, R. Meiers, J. McNeilly met with Mr. Kamel, Glendale Spinning Mills, regarding option of moving the C.P. Belt Line to the east. Mr. Kamel added at the meeting that his company wanted ownership of the northern portion of Belview Avenue North to be included as part of the negotiations.
- 1991 July 04** Staff/Aldermen meeting - further investigation required regarding a lease with C.P. truck traffic regulations, etc.
- 1991 July 08** Revised Schedule 'B' and cover letter sent to the Ministry of Municipal Affairs, Community Development Branch for approval of the use of Provincial PRIDE dollars on the remedial work on C.P. lands to allow for trucks to drive from the Glendale Yards on the north to their yards on the south. (Approval from Ministry received).
- 1992 April 14** City Council approved:
- i) authorization to negotiate a ten year lease with C.P. Rail
  - ii) in the event that as a condition by Glendale Spinning Mills of their full participation in the resolution of the truck access issue, the City is requested to stop up, close and sell a portion to Belview Avenue, that the Transport and Environment Committee consider and make appropriate recommendations to Council, prior to finalization of any lease by the City of CP Rail land.

**1992 April 24**

M. Watson, Property Department and J. McNeilly, Public Works, met with Mr. Kamel to determine whether or not he was firm in his requirement to have a portion of Belview Avenue closed and Glendale Spinning Mills purchase same. His answer was yes.

**1992 May 19**

Application sent to the Roads Department for road closure.

**1992 August**

Roads Department circularizes property owners within 400ft closure with intent to close road giving opportunity to object the closure.

**1992 October 07**

A public meeting to discuss the proposed solution to the truck access issue at the Planning and Development Committee meeting. Mr. Hamby, Glendale Spinning Mills and residents of the neighbourhood were in attendance.

**1993 March 09**

In adopting Item 17 of Planning and Development Committee, City Council approves the lease Agreement with Canadian Pacific Limited for their lands required to provide a wider drivethrough for Glendale Spinning Mills. Included in resolution is Use Agreement between the City of Hamilton and Glendale Spinning Mills whereby Glendale agrees to use the drivethrough. Agreement states that if road not closed Glendale has right to terminate the Agreement.

**1993 March 22**

The Use Agreement between the City of Hamilton and Glendale Realty Holdings Limited is signed.

**1993 March 23**

The Agreement between Canadian Pacific Limited and the City of Hamilton and Glendale Realty Holdings Limited is signed.

**1993 July/August**

Work is carried out to shift belt line, move fence line and excavate and lay stone. Glendale using this route.

**1993 July 27**

City Council in adopting Item 7 & 8 of the 10th Report of the Transport and Environment Committee, endorsed the document to sell the said lands to Glendale subject to the necessary by-laws being prepared and circulated in usual manner.



**TURKSTRA  
GARROD  
HODGSON**

Environmental, Municipal & Planning Law

Stephen Garrod  
Anja Nurvo  
Peter Pickfield  
Scott Snider

Douglas Hodgson  
Helen Pelton  
Manfred Rudolph  
Herman Turkstra

15 Bold Street  
Hamilton, Ontario  
L8P 1T3

September 30, 1993

Mr. Kevin Christenson, Secretary  
Transportation and Environmental Committee  
Corporation of the City of Hamilton  
71 Main Street West  
Hamilton, Ontario.  
L8N 3T4

RECEIVED

OCT 1 1993

Dear Mr. Christenson:

CITY CLERKS

Re: Purchase of Belview Avenue  
Our File 11735

As we discussed in our telephone conversation this morning the matter of the closing of Belview Avenue will be considered at the next meeting of the Committee on October 18th, 1993. I would like to attend as a delegation on behalf of Glendale Spinning Mills at this meeting and would like to make a very short presentation to the Committee.

Thank you for your assistance in this matter.

Yours truly



Helen Pelton

HP:vg

11735\15

1 (b)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 20

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

RECEIVED

SEP 24 1993

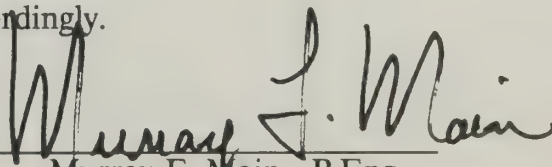
CITY CLERKS

**SUBJECT:**

Intersection of Brucedale Avenue East and East 25th Street - Intersection Control  
[TEC-224-93]

**RECOMMENDATION:**

- (a) That the existing two-way stop control at the intersection of Brucedale Avenue East and East 25th Street be switched from an eastbound/westbound stop to a northbound/southbound stop; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**


Sufficient funds are available in the 1993 Traffic Department operating budget estimates to cover the cost of reversing the direction of stop sign control at this location.

**BACKGROUND:**

In report TEC-195-93, the Traffic Department reported respecting a petition forwarded by Alderman Henry Merling and signed by approximately 45 area residents, requesting that four-way stop control be implemented at the intersection of Brucedale and East 25th. The matter was tabled by the Transport and Environment Committee on 1993 August 23 and Alderman Merling requested further investigations into the residents' concerns.

Brucedale Avenue is primarily a local residential street, and in 1981, the direction of stop control was switched at a number of locations on Brucedale between Upper Wellington and Upper Gage to require additional eastbound and westbound stops to discourage through traffic on Brucedale, and to reduce the traffic volumes to that of a local residential street. The intersection of Brucedale and East 25th was one of the intersections which was switched from a northbound/southbound stop on East 25th to an eastbound/westbound stop on Brucedale.

Traffic counts indicate that these measures were successful in reducing the traffic volumes on Brucedale. Presently, eastbound and westbound traffic on Brucedale is required to stop at three intersections between Upper Wentworth and Upper Sherman, including the intersection of Brucedale and East 25th. While the Traffic Department is opposed to the implementation of four-way stop control at this intersection, for reasons outlined in the previous report, this Department would not object to switching the direction of stop control back to a northbound/southbound stop on East 25th and to eliminating the eastbound/westbound stop on Brucedale. The elimination of one eastbound/westbound stop should not affect the traffic volumes on Brucedale whatsoever.

  
MH/jd



TABLED BY THE 9.3/CE/23  
Committee Approval.....

Council Approval.....

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 August 18

REPORT TO: Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

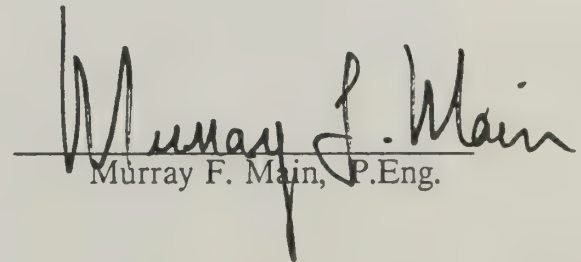
FROM: Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

SUBJECT:

Intersection of Brucedale Avenue East and East 25th Street - Intersection Control. [TEC-195-93]

RECOMMENDATION:

That no action be taken on the request for four-way stop control at the intersection of Brucedale Avenue East and East 25th Street.

  
Murray F. Main, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The installation of unwarranted all-way stop control at locations such as this results in increased motor vehicle operating costs in the order of \$10,000.00 annually.

BACKGROUND:

Alderman Henry Merling has forwarded a petition signed by approximately 45 area residents, requesting that four-way stop control be implemented at the intersection of Brucedale and East 25th.

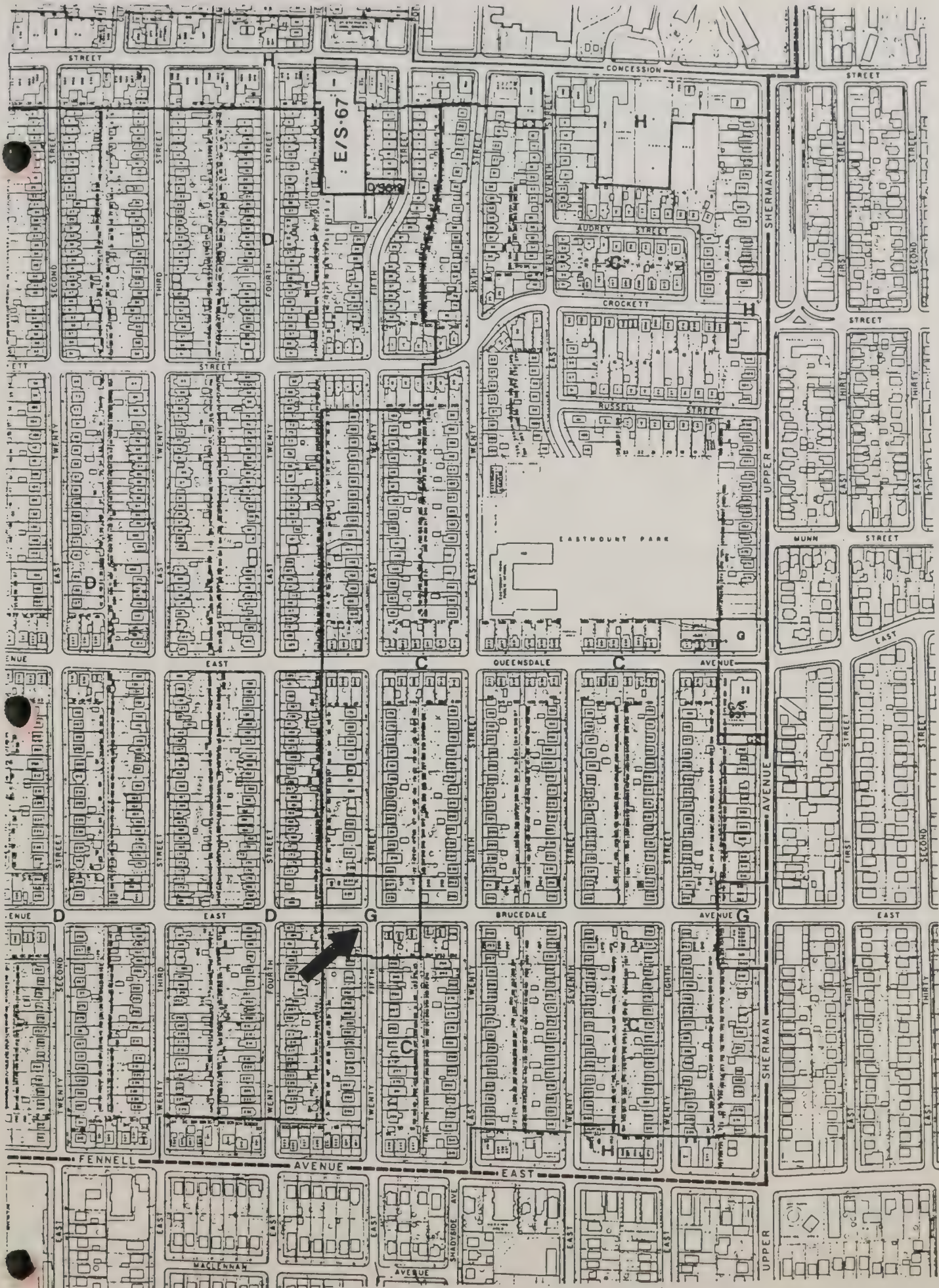
The subject intersection is a four-leg intersection, and presently, eastbound and westbound traffic on Brucedale is required to stop for northbound and southbound traffic on East 25th. Traffic Department records indicate that this intersection has experienced an average of only

0.71 collisions per year over the past seven years. This is a good collision record for this type of intersection.

The Traffic Department has assessed this request, and has its usual concerns respecting unwarranted four-way stop control, including the fact that there is no collision problem at this intersection, unnecessary stop signs have extremely harmful environmental affects, stop signs have no effect on the speed and volume of traffic, and unwarranted stop signs create disrespect by the motorists to the extent that the observation of stop signs is deteriorating every year. Moreover, northbound and southbound traffic on East 25th Street presently stops at five of six intersections between Fennell Avenue East and the north end and an additional northbound and southbound stop at this location would be over restrictive and unnecessary. Therefore, for the above-mentioned reasons the Traffic Department does not support the request for all-direction stop control at this intersection.

*CVB*  
CVB/MH/ca



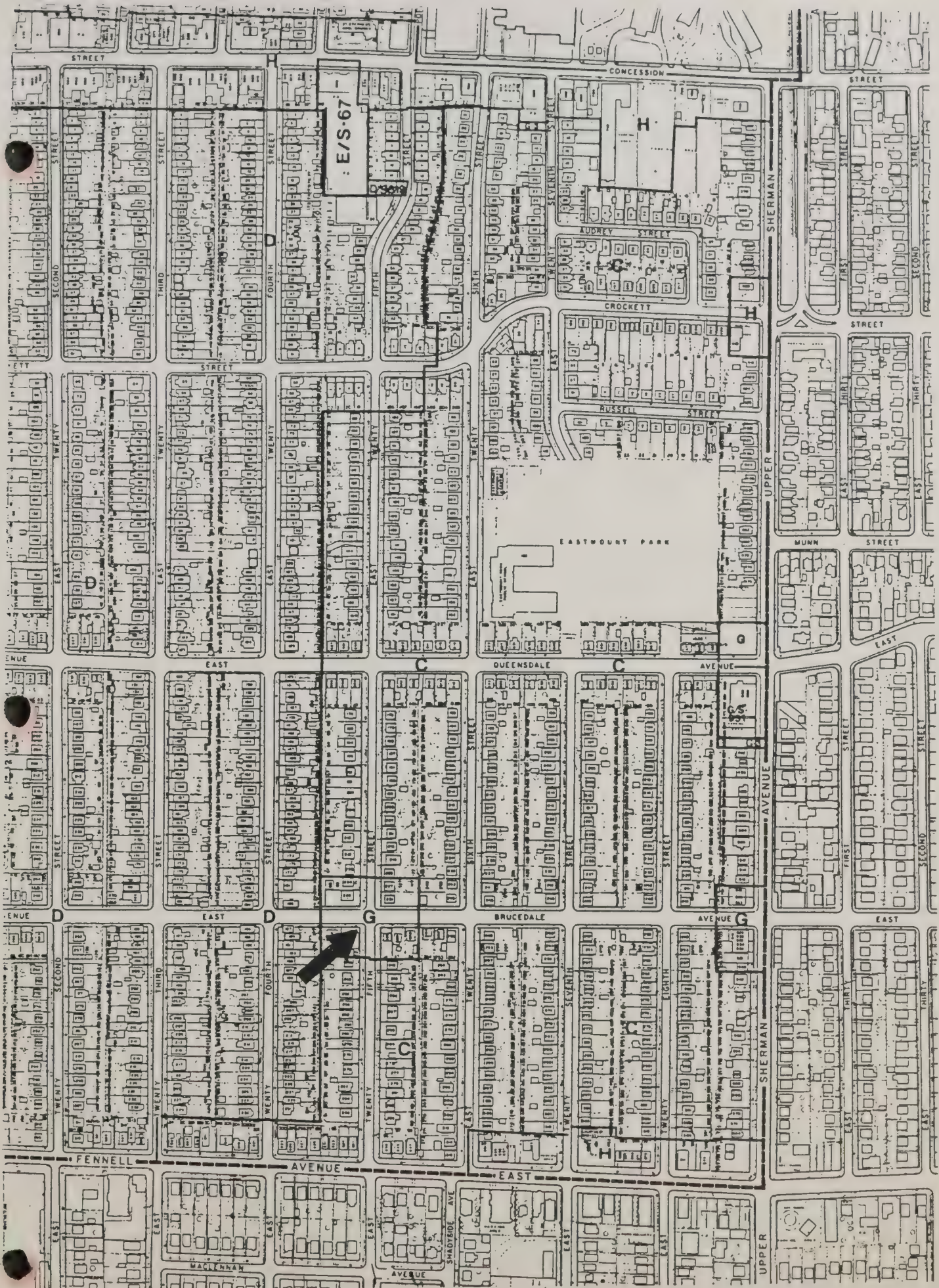




0.71 collisions per year over the past seven years. This is a good collision record for this type of intersection.

The Traffic Department has assessed this request, and has its usual concerns respecting unwarranted four-way stop control, including the fact that there is no collision problem at this intersection, unnecessary stop signs have extremely harmful environmental affects, stop signs have no effect on the speed and volume of traffic, and unwarranted stop signs create disrespect by the motorists to the extent that the observation of stop signs is deteriorating every year. Moreover, northbound and southbound traffic on East 25th Street presently stops at five of six intersections between Fennell Avenue East and the north end and an additional northbound and southbound stop at this location would be over restrictive and unnecessary. Therefore, for the above-mentioned reasons the Traffic Department does not support the request for all-direction stop control at this intersection.

*CVB*  
CVB/MH/ca









## CONSENT AGENDA

Transport and Environment Committee  
Monday, 1993 October 18  
9:30 o'clock a.m.  
Room 233, City Hall

### A G E N D A

#### **A. ADOPTION OF THE MINUTES**

Minutes of the Meeting held 1993 September 20

#### **B. DIRECTOR OF TRAFFIC SERVICES**

##### **i. Parking Regulations**

- (a) Salmond Court
- (b) Jackson Street West between Queen Street South and Ray Street South
- (c) McElroy Road West between Upper James Street and West 2nd Street
- (d) Cloverhill Road between Brantdale Avenue and Gateview Drive
- (e) No. 391 Strathearne Avenue  
Request for a Reserved "Permit Parking" Space for a Disabled Resident
- (f) No. 128 Park Row North - Request for a Wheelchair Loading Zone
- (g) East Side of Garfield Avenue North - Request for a Reserved "Permit Parking" space for a Disabled Resident
- (h) Leeming Street, adjacent to No. 431 Cannon Street East -  
Request for a Reserved "Permit Parking" Space for a Disabled Resident
- (i) No. 113 Ray Street North - Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident
- (j) No. 290 South Bend Road East - Revision of a Wheelchair Loading Zone
- (k) School Bus Loading Zone on the south side of Queensdale Avenue East adjacent to Highview Elementary School
- (l) Intersection of Lower Horning Road and Whitney Avenue - Corner Clearance



ii. **School Crossing Guards**

(a) Crockett Street and Upper Gage Avenue

(b) Barton Street East and Nash Road

iii. **Snow Route Designations**

Eva Street and Eaglewood Drive

**C. COMMISSIONER OF TRANSPORTATION AND ENVIRONMENTAL SERVICES**

i. 1993 Servicing Expenditures Related to Subdivisions

ii. Street Incorporation

iii. Encroachment Agreement - Railway Spur - Pier-15

**D. DIRECTOR OF PROPERTY**

Settlement of Expropriation - part of 1477 Upper James Street

**E. SECRETARY, TRANSPORT AND ENVIRONMENT COMMITTEE**

(a) Ontario Good Roads Association, 1994 Annual Conference, 1994 February 20 to February 23, Toronto, Ontario

(b) Information Reports





Monday, 1993 September 20  
9:30 o'clock a.m.  
Room 233, City Hall

2 (4)

The Transport and Environment Committee met.

Present: Alderman H. Merling, Chairman  
Alderman V. J. Agro, Vice-Chairman  
Mayor R. M. Morrow  
Alderman M. Kiss  
Alderman B. Morelli  
Alderman D. Wilson  
Alderman F. Eisenberger  
Alderman T. Jackson  
Alderman F. D'Amico

Also present: Alderman T. Cooke  
Alderman G. Copps  
Alderman Wm. M. McCulloch  
Alderman D. Ross  
Ms. B. Price, Hamilton Safety Council  
Ms. S. Wilson, Board of Education  
Mr. F. Lampman, Building Department  
Mr. M. Main, Director of Traffic Services  
Mr. M. Hazell, Traffic Department  
Mr. B. Chrystian, Public Works Department  
Ms. H. Milsome, Public Works Department  
Mr. G. Aston, Roads Department  
Mr. R. Buckle, Property Department  
Mr. D. Powers, Law Department  
Mr. R. Richardson, 204 Chesley Street  
Mr. M. Wojtowicz, Plaza Nisson  
Mr. Hamby, Glendale Spinning Mills  
Mr. K. C. Christenson, Secretary

1. **DELEGATION**

(a) **By-law to Stop-up, Close and to Authorize  
Sale of parts of Belview Avenue, designated  
as Parts 2 and 3 on Plan 62R-12325**

The Committee was in receipt of a report dated 1993 September 9 from the Senior Director, Roads Department respecting the above-noted subject.

Mr. Aston of the Roads Department advised the Committee that public notice had been placed in the Hamilton Spectator for 4 consecutive weeks as required by Section 301 of the Municipal Act. He stated that to date no objections had been received. He then detailed the issue of the closure and sale of Belview Avenue.

Mr. Mike Wojtowicz of Plaza Nisson, 970 Barton Street East appeared before the Committee stating that he was against the closure of Belview Avenue as it would reduce the amount of parking available for his staff and customers as well as affecting the day to day of the operation of this business. Mr. Wojtowicz added that he had never been consulted on the decision to close Belview Avenue.

Following discussion, the Committee agreed that the item be tabled to the next meeting in order that a complete report be prepared by the Senior Director of the Roads Department on the issue.

**\*Mayor Morrow recorded opposed.**

(b) **No. 204 Chesley Street - Development Costs, Mr. Ray Richardson**

The Committee was in receipt of correspondence from Mr. L. King, Building Commissioner respecting the above-noted subject. In addition, a letter from the owner of 204 Chesley Street, Mr. Ray Richardson was attached and an information report from the Senior Director, Roads Department dated 1993 August 11.

Alderman Ross referred to the \$152,696. cost for servicing the proposed lots at No. 204 Chesley Street. He stated that development costs are too high and restrictive to potential developers. He then referred to the suggested changes in Schedule "A" of the Information Report from Mr. Gill.

Mr. Richardson appeared before the Committee and stated that the development costs suggested were too high and that he was looking for a reduction to these costs in order to be able to sever lots from the property at No. 204 Chesley Street.

Following considerable discussion, the Committee agreed to table the item in order that staff prepare a report with a recommendation for consideration at the next Committee meeting.

2. **CONSENT AGENDA**

A. **ADOPTION OF THE MINUTES**

The minutes of the meeting held 1993 August 23 were adopted as circulated.

B. **DIRECTOR OF TRAFFIC SERVICES**

i. **Parking Regulations**

(a) **No. 591 Mary Street**

The Committee was in receipt of a report dated 1993 August 30 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

(a) That the existing "Permit Parking" regulation on the west side of Mary Street commencing at a point 73 feet south of Brock Street and extending to a point 22 feet southerly therefrom, be removed; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

(b) **Harrison Avenue between Kenilworth Avenue North and Harmony Avenue**

The Committee was in receipt of a report dated 1993 August 30 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

(a) That the existing "No Parking" regulation on the north side of Harrison Avenue between Kenilworth Avenue North and Harmony Avenue be switched to the south side of the street; and

(b) That the City Traffic By-law 89-72 be amended accordingly.



(c) **No. 39 Cheever Street**

The Committee was in receipt of a report dated 1993 August 30 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "No Stopping, Wheelchair Loading Only" regulation on the west side of Cheever Street commencing at a point 245 feet south of Birge Street and extending to a point 20 feet southerly therefrom be revised such that it will be in effect from 8:00 a.m. to 12:00 a.m. (midnight); and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(d) **Rebecca Street between Ferguson Avenue North and Cathcart Street**

The Committee was in receipt of a report dated 1993 September 7 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "Taxi Stand" regulation on the north side of Rebecca Street commencing at a point 108 feet east of Ferguson Avenue North and extending to a point 55 feet easterly therefrom be replaced with two one hour parking meters.
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(e) **Kerr Street/East 45th Street**

The Committee was in receipt of a report dated 1993 September 9 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the south side of Kerr Street between East 44th Street and East 45th Street be removed; and
- (b) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the north side of Kerr Street between East 44th Street and Greenmeadow Road be removed; and
- (c) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the west side of East 45th Street between Kerr Street and Brucedale Avenue East be removed; and
- (d) That the City Traffic By-law 89-72 be amended accordingly.

(f) **Intersection of Herkimer Street and Kent Street**

The Committee was in receipt of a report dated 1993 September 9 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing 48 foot "No Parking" regulation on the north side of Herkimer Street, immediately west of Kent Street, be replaced with a "No Stopping" regulation, commencing at Kent Street and extending to a point 68 feet westerly therefrom; and
- (b) That the existing "No Parking" regulation on the south side of Herkimer Street, immediately west of Kent Street, be replaced with a "No Stopping" regulation commencing at Kent Street and extending to a point 68 feet westerly therefrom; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

(g) **East side of Talbot Avenue, north of Melvin Avenue**

The Committee was in receipt of a report dated 1993 September 1 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "No Stopping Anytime" regulation on the east side of Talbot Avenue commencing at Melvin Avenue and extending to a point 127 feet northerly therefrom be extended, such that the regulation extends to a point 163 feet north of Melvin Avenue; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(h) **Bay Street North/Wood Street**

The Committee was in receipt of a report dated 1993 September 1 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the south and east sides of Bay Street North between Burlington Street West and the east property line of No. 512 1/2 Bay Street North; and
- (b) That a "Permit Parking" regulation be implemented on both sides of Wood Street between Burlington Street West and Bay Street North; and
- (c) That the Director of Traffic Services be authorized to issue on the south side of Bay Street North between Burlington Street West and Wood Street, upon request, two parking permits per residence to Nos. 74, 76, 80 and 82 Burlington Street West, and No. 492 Bay Street North, and one permit to No. 84 Burlington Street West, to a maximum of eleven permits; and

- (d) That the Director of Traffic Services be authorized to issue on the west side of Wood Street between Burlington Street West and Bay Street North, upon request, two parking permits per residence to No. 61 Wood Street and No. 502 Bay Street North, and one permit to No. 70 Burlington Street West, to a maximum of five permits; and
- (e) That the Director of Traffic Services be authorized to issue on the east side of Wood Street between Burlington Street West and Bay Street North, upon request, two parking permits per residence to No. 68 Wood Street and No. 506 Bay Street North to a maximum of four permits; and
- (f) That the Director of Traffic Services be authorized to issue on the south side of Bay Street North between Wood Street and the east property line of No. 512 1/2 Bay Street North, upon request, one parking permit per residence to Nos. 508 and 512 1/2 Bay Street North and two parking permits to No. 508 Bay Street North to a maximum of four permits; and
- (g) That the City Traffic By-law 89-72 be amended accordingly.
- (h) **Montmorency Drive**

The Committee was in receipt of a report dated 1993 September 8 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "Alternate Side Parking" regulation on the north leg of Montmorency Drive from end to end be replaced with a "No Parking" regulation on the south side; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
- (j) **Spring Street between Hunter Street East and Jackson Street East**

The Committee was in receipt of a report dated 1993 September 8 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the east side of Spring Street between Hunter Street East and Jackson Street East; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
- (k) **Crosthwaite Avenue North between Britannia Avenue and Cannon Street East**

The Committee was in receipt of a report dated 1993 September 9 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "Alternate Side Parking" regulation on Crosthwaite Avenue North between Britannia Avenue and Cannon Street East be replaced with a "No Parking" regulation on the west side and a "Permit Parking" regulation on the east side; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit per residence to Nos. 165, 166, 170 and 172 Crosthwaite Avenue North and No. 264 Britannia Avenue and the additional permit (to a maximum of six) on a first come first served basis; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.



(l) **Apartment Building at No. 611 Concession Street**

The Committee was in receipt of a report dated 1993 September 9 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first six eligible applicants residing in the apartment building at No. 611 Concession Street.

(m) **No. 95 Bond Street South**

The Committee was in receipt of a report dated 1993 September 9 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the east side of Bond Street South commencing at a point 52 feet south of Marion Avenue and extending to a point 22 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Cornelia Prins, No. 95 Bond Street South; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

(n) **East 27th Street between Halam Avenue and Mackenzie Road**

The Committee was in receipt of a report dated 1993 September 9 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of East 27th Street between Halam Avenue and Mackenzie Road be replaced by a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(o) **Whitney Avenue**

The Committee was in receipt of a report dated 1993 September 7 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Whitney Avenue which commences 117 feet west of Mericourt Road and extends to a point 137 feet westerly therefrom, be changed to a "One Hour Parking Time Limit, 8:00 a.m. to 11:00 p.m., Monday to Saturday" regulation; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(p) **Various Intersections in the southerly portion of the Red Hill Neighbourhood**

The Committee was in receipt of a report dated 1993 September 7 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That northbound traffic on Glen Forest Drive be required to stop for eastbound and westbound traffic on Kingswood Drive; and
- (b) That eastbound traffic on Glencannon Drive be required to stop for northbound and southbound traffic on Glen Forest Drive; and
- (c) That three-way stop control be implemented at the intersection of Glen Forest Drive and Golfcrest Road; and
- (d) That the City Traffic By-law 89-72 be amended accordingly.

ii. **Intersection Control**

(a) **Intersection of Southampton Drive and Deerborn Drive**

The Committee was in receipt of a report dated 1993 September 7 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That westbound traffic on Southampton Drive be required to stop for northbound and southbound traffic on Deerborn Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(b) **Intersection of Glendale Avenue North and Morris Avenue**

The Committee was in receipt of a report dated 1993 September 1 from the Director of Traffic Services respecting the above-noted subject.

Alderman Morelli stated that the recommendation as presented did not address the concerns of the residents. He suggested that requiring traffic to stop in the opposite direction to that recommended would be a more suitable solution.

Following further discussion, the Committee approved the following amended recommendation:

- (a) That northbound and southbound traffic on Glendale Avenue North be required to stop for eastbound traffic on Morris Avenue.
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(c) **Intersection of Norma Jean Avenue and Eaglewood Drive**

The Committee was in receipt of a report dated 1993 September 1 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That southbound traffic on Norma Jean Avenue be required to stop for eastbound and westbound traffic on Eaglewood Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

(d) **Eleanor Avenue between Rymal Road East and Stone Church Road East**

The Committee was in receipt of a report dated 1993 September 8 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That northbound and southbound traffic on Eleanor Avenue be required to stop for eastbound and westbound traffic on Dulgaren Street; and
- (b) That northbound and southbound traffic on Eleanor Avenue be required to stop for eastbound and westbound traffic on Brenda Street; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

iii. **Parking Regulations/Intersection Control**

**Solomon Crescent**

The Committee was in receipt of a report dated 1993 August 30 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That a "No Parking" regulation be implemented on the south and west sides of Solomon Crescent commencing at a point 126 feet east of Jamie-Ann Court and extending to a point 180 feet southeasterly therefrom; and
- (b) That westbound traffic on Solomon Crescent (north leg) be required to stop for northbound and southbound traffic on Solomon Crescent (west leg); and
- (c) That northbound traffic on Aries Court be required to stop for eastbound and westbound traffic on Solomon Crescent; and
- (d) That the City Traffic By-law 89-72 be amended accordingly.

iv. **Application to Lease a Portion of the Boulevard**

The Committee was in receipt of a report dated 1993 September 8 from the Director of Traffic Services respecting the above-noted subject.

The Committee approved the following recommendation:

That the application of 414028 Ontario Limited to lease a portion of the boulevard of Canada Street adjacent to Nos. 106 and 108 Canada Street be approved, provided that:

- (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$59.57 per space per year for the first two spaces and \$29.79 for any additional spaces up to ten) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.
- (b) the owner pays a one time \$50. registration fee, as approved by the City Council on 1986 January 14.



- (c) the owner pays a one time \$191.24 (including G.S.T.) processing fee, as approved by the City Council on 1988 January 12.
- (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
- (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
- (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

**C. DIRECTOR OF PROPERTY**

**i. Purchase by the Region of Part 3, Plan 62R-12601  
from the City of Hamilton for Freeway Purposes, Upper Wentworth Street**

The Committee was in receipt of a report dated 1993 August 26 from the Director of Property respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That an Offer to Purchase, executed by Regional Officials on 1993 August 25, and scheduled for closing on or before 1993 November 8, for the purchase by the Region of the lands composed of part of Lot 10, Concession 7, formerly in the geographic Township of Barton, now in the City of Hamilton, shown as Part 3 on Plan 62R-12601, containing 1,343.8 square metres (0.332 acres) more or less, be approved and completed and the funds derived from this sale of \$33,200. be credited to Account No. CH4X501 00201 (Reserve Fund - Acquisition of Parklands). Subject property is located on the east side of Upper Wentworth Street, south of Limeridge Road East and forms part of T. B. McQuesten Park.
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

**ii. Alleyway Closure and Sale - 2054 Barton Street East - Terry and Carol Oikawa**

The Committee was in receipt of a report dated 1993 September 9 from the Director of Property respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That an Offer to Purchase, duly executed by the abutting homeowners, Terry Grant Oikawa and Carol Anne Oikawa, on 1993 August 17, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a length of 10.668 metres (35.0 feet) more or less, and comprising a total area of 16.257 square metres (175.0 square feet) more or less, designated as Part 1, on Reference Plan 62R-11618, and lying directly south of municipal address 2054 Barton Street East, be approved and completed and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

iii. **Alley Closure and Sale, Rear Land Abutting Municipal Addresses  
2062 Barton Street East - Anne Callen Geeling**

The Committee was in receipt of a report dated 1993 September 9 from the Director of Property respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That an Offer to Purchase, duly executed by the abutting homeowner, Anne Callen Geeling, on 1993 August 17, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a length of 10.668 metres (35.0 feet) more or less, and comprising a total area of 16.257 square metres (175.0 square feet) more or less, designated as Part 5, on Reference Plan 62R-11618, and lying directly south of municipal address 2062 Barton Street East, be approved and completed and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

iv. **Alley Closure and Sale, Rear Land abutting Municipal Addresses  
334 Brunswick Street Michelle Alderson and Sherry Williston**

The Committee was in receipt of a report dated 1993 September 9 from the Director of Property respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That an Offer to Purchase, duly executed by the abutting homeowners, Michelle Marie Alderson and Sherry Dawn Alderson Williston, on 1993 August 13, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a combined length of 32.004 metres (105.0 feet) more or less, and comprising a total area of 48.772 square metres (525.0 square feet) more or less, designated as Parts 2, 4 and 6 on Reference Plan 62R-11618, and lying directly north of municipal address 334 Brunswick Street, be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

v. **Offer to Purchase -  
Public Walkway between 71 and 75 Janet Court, Kentley Neighbourhood**

The Committee was in receipt of a report dated 1993 September 9 from the Director of Property respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That an Offer to Purchase, duly executed by Bruce Redford Roussey, on 1993 August 30, and scheduled to close thirty (30) days after the enactment and registration of a by-law to stop up, close and sell the public walkway extending from the east side of Janet Court to the western extremity of Janet Court, for the lands composed of all of Block 43, Plan 62M-575, more particularly described as having a perpendicular width of 4.5 metres (14.76 feet) more or less, having a frontage of 4.714 metres (15.46 feet) more or less, along the easterly limit of Janet Court between municipal addresses 71 and 75 Janet Court, by a depth of 28.071 metres (92.096 feet) more or less, along the northerly boundary and 29.394 metres (96.43 feet) more or less, along the southerly boundary, and comprising a total area of 128.7 square metres (1,385.36 square feet) more or less, save and except the most easterly 0.3048 metres (1 foot), be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Sale of Lands - Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

D. **DIRECTOR OF PUBLIC WORKS**

**Construction of a Concrete Alley between Fairfield Avenue North and Paling Avenue from Britannia Avenue to the north limit of 226 Fairfield Avenue North and 255 Paling Avenue**

The Committee was in receipt of a report dated 1993 September 14 from the Director of Public Works respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the construction of a concrete alley between Fairfield Avenue North and Paling Avenue from Britannia Avenue to the north limit of 226 Fairfield Avenue North and 255 Paling Avenue proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$20,000. with a City's Share of \$8,924. and an Owner's Share of \$11,076. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.



**E. COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES**

The Committee was in receipt of a report dated 1993 September 9 from the Senior Director, Roads Department respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the following City lands be incorporated into the street in order to complete the final street width or to provide access and hook-up:

Rambo Street	Parts 1 and 2	Plan 62R-11178
Acadia Drive	Block 39	Plan 62M-715
Elite Drive	Block 40	Plan 62M-715
Bow Valley Drive	Portion of Parts 7 and 8	Plan 62R-8380
Highridge Avenue	Portion of Parts 7 and 8	Plan 62R-8380 and
	Part 2	Plan 62R-9499

- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

**F. CITY SOLICITOR**

The Committee was in receipt of a report dated 1993 August 27 from the City Solicitor respecting the above-noted subject.

The Committee approved the following recommendation:

That City Council enact the by-law to authorize construction of local improvements of finished roadway and concrete curbs on Dulgaren Street from Upper Sherman Avenue to approximately 72 m easterly.

**G. DIRECTOR OF PROPERTY/DIRECTOR OF PUBLIC WORKS/MANAGER OF PURCHASING****Awarding of Tender for Renovations to Ferguson Yard Staff Facilities Building**

The Committee was in receipt of a report dated 1993 August 31 from the Director of Property, Director of Public Works and Manager of Purchasing respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That approval be given to enter into a contract with K. G. Baird General Contracting Ltd. in the amount of \$83,670. for renovations to the Ferguson Yard Staff Facilities Building. Necessary funds are available in Account No. CF5200 609341013.
- (b) That a contract be entered into, satisfactory to the City Solicitor.
- (c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

H. SECRETARY, TRANSPORT AND ENVIRONMENT COMMITTEE

The Committee was in receipt of a report dated 1993 September 15 from the Secretary, Transport and Environment Committee respecting Information Reports.

The Committee approved the following recommendation:

That the information reports listed below that were previously distributed to the Transport and Environment Committee, be received.

1993 August 11	Jim Halliday, Senior Director Environmental Services Department	Establishment of a PCB Storage Facility by Mohawk College	1993 August 17
1993 August 17	Murray Main Director of Traffic Services	Proposed User Fees for Parking Permits and Residential Boulevard Parking	1993 August 17
1993 September 2	P. J. Halliday Senior Director Environmental Services Department	Establishment of a PCB Storage Facility Boonstra Heating and Air Conditioning	1993 Sept. 13

3. DIRECTOR OF TRAFFIC SERVICES(a) **Intersection of Paisley Avenue South and South Oval**

The Committee was in receipt of a report dated 1993 September 9 from the Director of Traffic Services respecting the above-noted subject.

Alderman Kiss presented a petition with of approximately 100 names requesting a four-way stop control be implemented at the intersection of Paisley Avenue South and South Oval.

Following a brief discussion, the Committee approved the following recommendation:

- (a) That a four-way stop control be implemented at the intersection of Paisley Avenue South and South Oval; and
- (b) That a "No Stopping" regulation be implemented on the west side of Paisley Avenue South commencing at South Oval and extending to a point 56 feet southerly therefrom; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

**\*Alderman Wilson recorded as opposed.**

(b) **Intersection of Brucedale Avenue East and East 8th Street**

The Committee was in receipt of a report dated 1993 August 30 from the Director of Traffic Services respecting the above-noted subject.

The Committee agreed that this item be tabled to the next meeting in order that a delegation be heard.

**4. DIRECTOR OF PUBLIC WORKS****Green Streets Canada - Municipal Tree Planting Recognition Program**

The Committee was in receipt of a report dated 1993 September 13 from the Director of Public Works respecting the above-noted subject.

The Committee approved the following recommendation:

- (a) That the Tree Planting - Bare Root Centre No. 60404 and the Tree Planting -Large Caliper Centre No. 60402 item lines in the Public Works Department Streets Budget, not be considered as possible reduction packages during the 1994 current budget submissions so that the City of Hamilton can be eligible for an equal cost sharing program up to \$100,000. sponsored by Green Streets Canada -Municipal Tree Planting Recognition Program.
- (b) That the Mayor and City Clerk be authorized on behalf of City Council to enter into an agreement with Tree Plan Canada (Green Streets Canada) confirming the City's commitment to the program in accordance with criteria as outlined in Appendix "A" attached hereto.
- (c) That the City Solicitor be authorized to prepare any required documentation relative to the City of Hamilton's involvement in the Tree Plan Canada (Green Streets Canada) program.

**5. CITY CLERK****Resolution - Town of Dundas - Regulations respecting Waste Reductions**

The Committee was in receipt of correspondence dated 1993 August 20 from the Town Clerk, Town of Dundas respecting the above-noted subject.

The Committee agreed that the item be received.

**6. CITY SOLICITOR/BUILDING COMMISSIONER****No. 355 MacNab Street North - Building Permit for Private Garage**

The Committee was in receipt of an Information Report dated 1993 September 14 from the City Solicitor and Building Commissioner respecting the above-noted subject.

Alderman Agro stated that there were some inconsistencies in the Information Report with respect to the issue, i.e. the report referred to a laneway rather than an alleyway and that the size of the garage was at question rather than the size of the property. The Committee agreed that the item be tabled until a revised report could be prepared for the Committee's consideration.

**7. MAYOR R. MORROW/ALDERMAN H. MERLING/ALDERMAN V. J. AGRO****Special Signage - Murray Street**

Mayor Morrow spoke to the Committee respecting the addition of the name Corso Racalmuto to the street sign names on Murray Street. He stated that this change would be for historic recognition reasons and that no official street name change would be required.

Following a brief discussion, the Committee approved the following recommendation:

That the "Corso Racalmuto" street signs erected on and in addition to the Murray Street signs, from John Street, to Bay Street, be retained permanently.



8. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

Kevin C. Christenson  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 September 20



2(B)(ix)(a)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 27

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

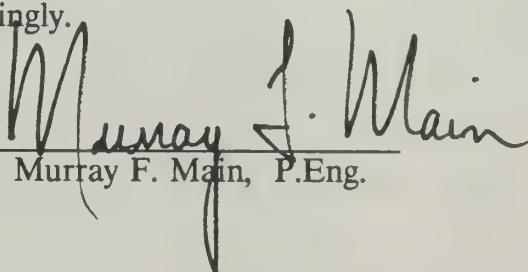
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Salmond Court - Parking Regulations. [TEC-207-93]

**RECOMMENDATION:**

- a) That a "No Parking" regulation be implemented on the north side of Salmond Court commencing at Upper Ottawa Street and extending to a point 124 feet westerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

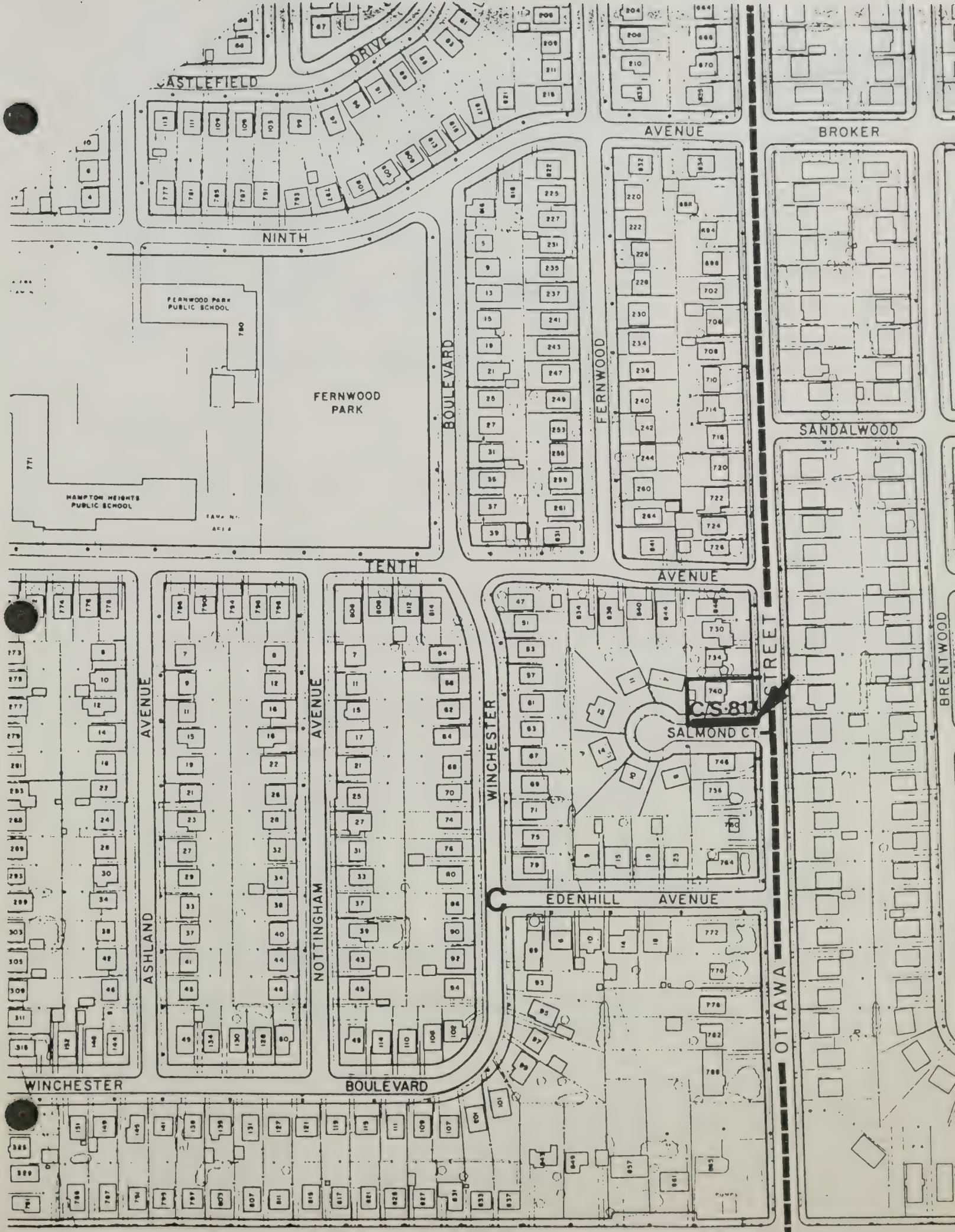
**BACKGROUND:**

The Traffic Department has received a request from Mr. Gowing, No. 13 Salmond Court, requesting that a "No Parking" regulation be implemented on the north side of the street, immediately west of Upper Ottawa Street to facilitate turning movements at this intersection. The Traffic Department has contacted the resident at No. 740 Upper Ottawa Street whose property abuts Salmond, and he has advised that he supports the requested regulation.



Salmond Court has a 28 foot pavement width, and presently, there is unrestricted parking on both sides of the street. The resident who requested the "No Parking" regulation has expressed concern regarding difficulties motorists experience attempting to enter or exit Salmond while vehicles are parked on both sides of the street. The implementation of the requested regulation would eliminate approximately three legal on-street parking spaces from the north side of Salmond, immediately west of Upper Ottawa. However, since virtually all of the abutting residents have available off-street parking, the Traffic Department does not anticipate any parking difficulties and concurs with the request.

 C-3  
MT/CVB/ks



CASTLEFIELD

DRIVE

AVENUE

BROKER

NINTH

FERNWOOD PARK  
PUBLIC SCHOOL

FERNWOOD  
PARK

BOULEVARD

FERNWOOD

SANDALWOOD

TENTH

AVENUE

ASHLAND

NOTTINGHAM

WINCHESTER

SALMOND CT

CS-817

EDENHILL AVENUE

WINCHESTER

BOULEVARD

OTTAWA

BRENTWOOD

EAST





2(BXiXb)

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 September 21

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

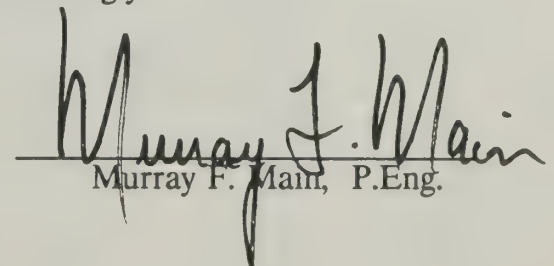
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Jackson Street West between Queen Street South and Ray Street South - Parking Regulations. [TEC-227-93]

**RECOMMENDATION:**

- a) That the existing "Permit Parking" regulation on the south side of Jackson Street West between Queen Street South and Ray Street South be revised, such that the regulation commences 122 feet west of Queen Street South and extends to Ray Street South; and
- b) That a "Three Hour Parking Time Limit, 24 hours/day, seven days a week" regulation be implemented on the south side of Jackson Street West commencing at Queen Street South and extending to a point 122 feet westerly therefrom; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

The Traffic Department has received a request from Mr. Richard Knight, House Manager

of the Players Guild, 80 Queen Street South, that a "Three Hour Parking Time Limit" regulation be implemented on the south side of Jackson immediately west of Queen and adjacent to the Players Guild.

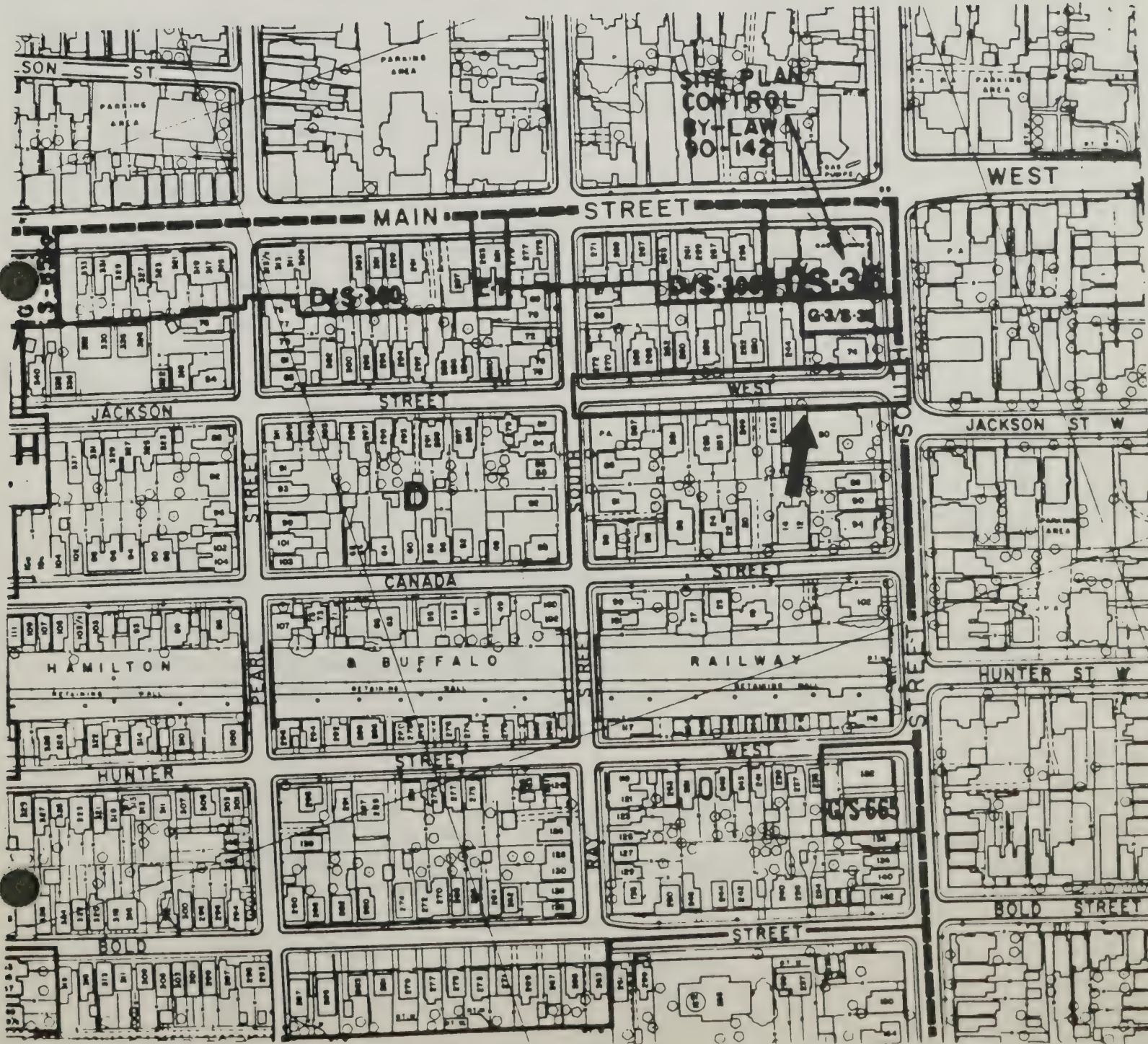
Jackson has a 22 foot pavement width, and presently, parking is prohibited on the north side and there is a "Permit Parking" regulation on the south side of the street in this block. Mr. Knight has expressed concern regarding a lack of parking for people attending the Players Guild.

The implementation of the requested regulation would provide approximately five legal on-street parking spaces which would be controlled by a three hour parking time limit. Although area residents could purchase permits to exempt their vehicles from the signed time limit, Mr. Knight has advised that this regulation is satisfactory to him.

Sufficient parking would be available within the existing "Permit Parking" area and the requested time limit area to accommodate the demand for parking permits by abutting residents. Therefore, the Traffic Department concurs with the request.

CVB/MH/ca









2(BXIXC)

CITY OF HAMILTON  
- RECOMMENDATION -

**DATE:** 1993 September 22

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

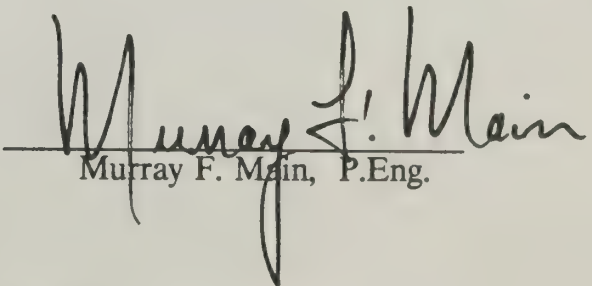
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

McElroy Road West between Upper James Street and West 2nd Street - Parking Regulations. [TEC-230-93]

**RECOMMENDATION:**

- a) That a "One Hour Parking Time Limit, 8:00 a.m to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of McElroy Road West between Upper James Street and West 2nd Street; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$24.00 annual charge for the parking permits will off-set the cost to some degree.

**BACKGROUND:**

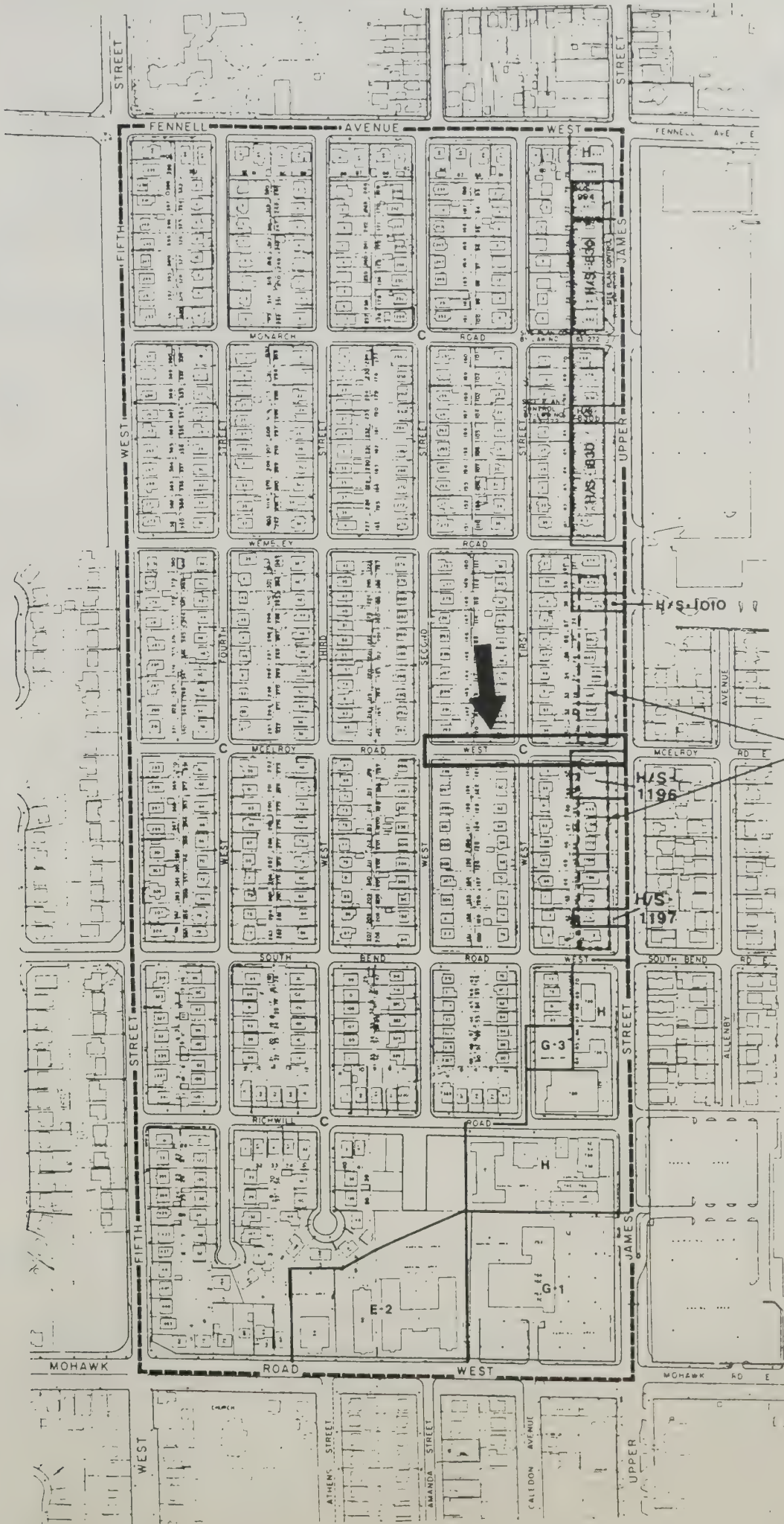
The Traffic Department has received a petition signed by representatives of six of the eight residential dwellings abutting McElroy Road West between Upper James Street and West 2nd Street, requesting that a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of the street in this area. All six

residents who signed the petition are in favour of the requested regulation.

McElroy has a 28 foot pavement width, and presently, parking is prohibited on the south side and there is unrestricted parking on the north side in this area. The resident who circulated the petition has expressed concern regarding long-term non-resident parking by students of Mohawk College. The implementation of the requested regulation will prohibit long-term non-resident parking and area residents would be entitled to purchase permits to exempt their vehicles from the signed time limit. Therefore, since 75 percent of the abutting residents are in favour of the requested regulation, the Traffic Department concurs with the request.

*CVB*  
CVB/MH/ca





SITE PLAN CONTROL

BY-LAW NO.

92-245



CITY OF HAMILTON

- RECOMMENDATION -

2(Brix)

**DATE:** 1993 September 23

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

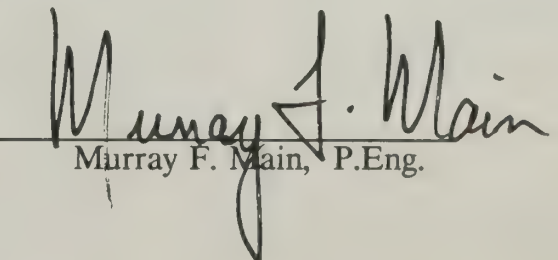
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Cloverhill Road between Brantdale Avenue and Gateview Drive - Parking Regulations.  
[TEC-232-93]

**RECOMMENDATION:**

- a) That an "Alternate Side Parking" regulation and a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Cloverhill Road between Brantdale Avenue and Gateview Drive, such that parking is prohibited:
- on the east side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and
  - on the west side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting, and maintaining the required signs. However, the \$24.00 annual charge for each parking permit will off-set the cost to some degree.

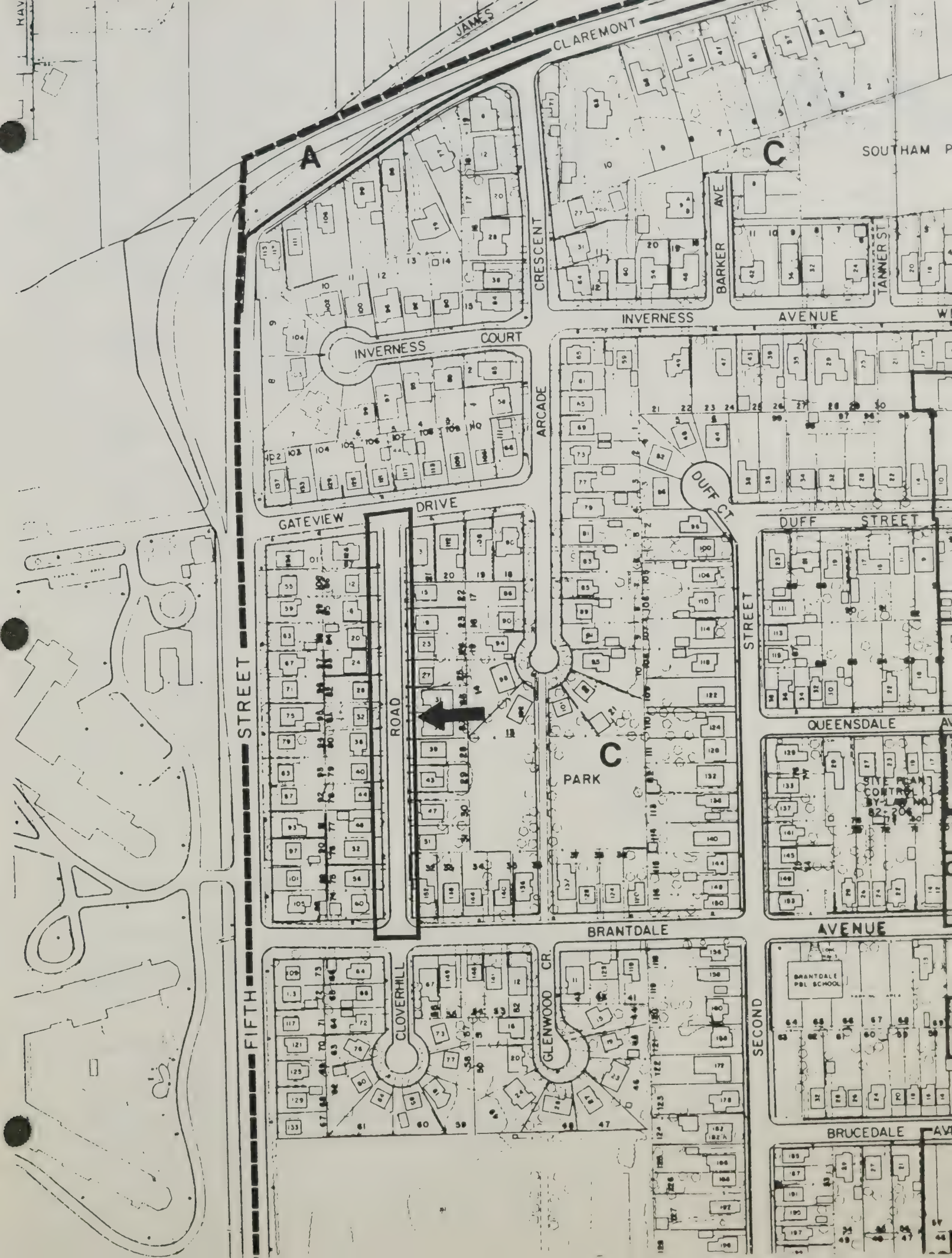


## BACKGROUND:

The Traffic Department has received a petition signed by representatives of 19 of the 26 residential dwellings abutting Cloverhill between Brantdale and Gateview, requesting that an "Alternate Side Parking" regulation in conjunction with a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of the street in this block. Sixteen residents are in favour of the requested regulations and three are opposed.

Cloverhill has a 24 foot pavement width, and presently, there is unrestricted parking on both sides of the street in this block. The resident who circulated the petition has expressed concern regarding long-term non-resident parking by students from Mohawk College. The implementation of the requested regulations would facilitate two-way traffic flow and driveway movements and would prohibit long-term non-resident parking. Area residents would be entitled to purchase permits at a cost of \$24.00 per permit each year to exempt their vehicles from the signed time limit. Therefore, since 62 percent of the abutting residents are in favour of the requested regulations, the Traffic Department concurs with the request.

  
CVB/MH/ca



FIFTH STREET

FIFTH STREET

GATEVIEW DRIVE

ROAD

INVERNESS COURT

CRESCENT

ARCADE

CLAREMONT

JAMES

INVERNESS AVENUE

INVERNESS AVENUE

BARKER AVE

SOUTHAM P

TANNER ST

DUFF CT

DUFF STREET

QUEENSDALE AV

BRANTDALE

BRANTDALE AVENUE

BRUCEDALE AV

PARK

BRANTDALE P.S. SCHOOL

CLOVERHILL

GLENWOOD CR.

SECOND





**CITY OF HAMILTON**

*2(BXiXe)*

**- RECOMMENDATION -**

**DATE:** 1993 September 21

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

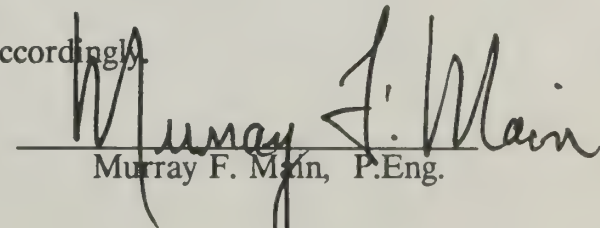
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

No. 391 Strathearne Avenue - Request for a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-226-93]

**RECOMMENDATION:**

- a) That a "Permit Parking" regulation be implemented on the west side of Strathearne Avenue commencing at a point 183 feet south of the north end of the street and extending to a point 28 feet southerly therefrom; and
- b) That the Director of Traffic Services be authorized to issue one parking permit to Laurie Schiestel, No. 391 Strathearne Avenue; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$12.00 annual charge for the parking permit will off-set the cost to some degree.

**BACKGROUND:**

The Traffic Department received a request from Laurie Schiestel, 391 Strathearne Avenue, that a reserved "Permit Parking" space be designated on the west side of Strathearne Avenue in front of her home since she is disabled.

Strathearne has a 31 foot pavement width, and presently, there is unrestricted parking on both sides of the street in this area except for an existing 22 foot wheelchair loading zone for the resident to the south of Mrs. Schiestel. The City Council, on 1987 December 08, approved a policy to allow for the implementation of individual reserved "Permit Parking" spaces in front of disabled residents homes. This policy requires, in part, that the applicant possess a valid disabled permit issued by the Ministry of Transportation. The Traffic Department has confirmed that Laurie Schiestel possesses a valid permit. An investigation has revealed that there is no suitable alternative parking area available on the private property. Therefore, the Traffic Department concurs with the request.

*MT CVB*  
MT/CVB/ks

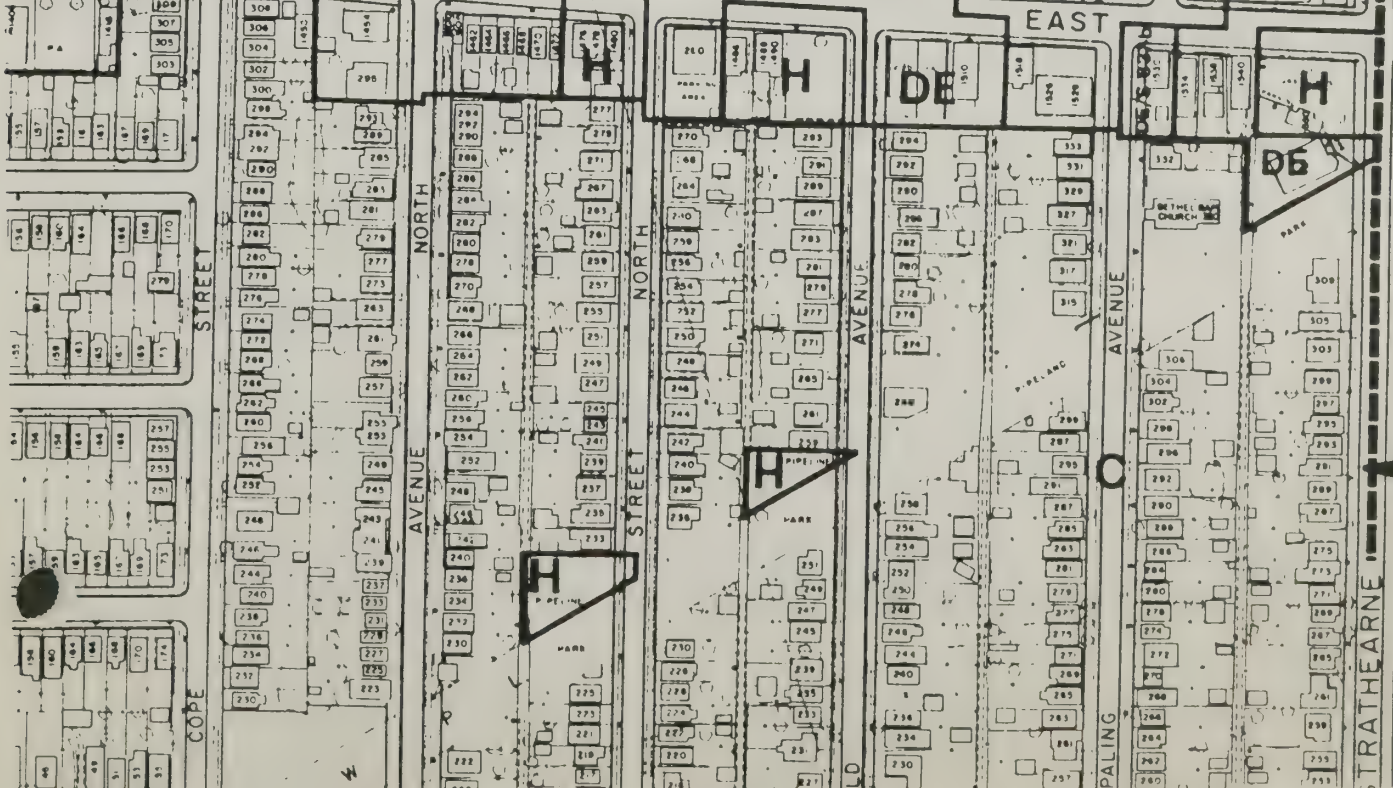
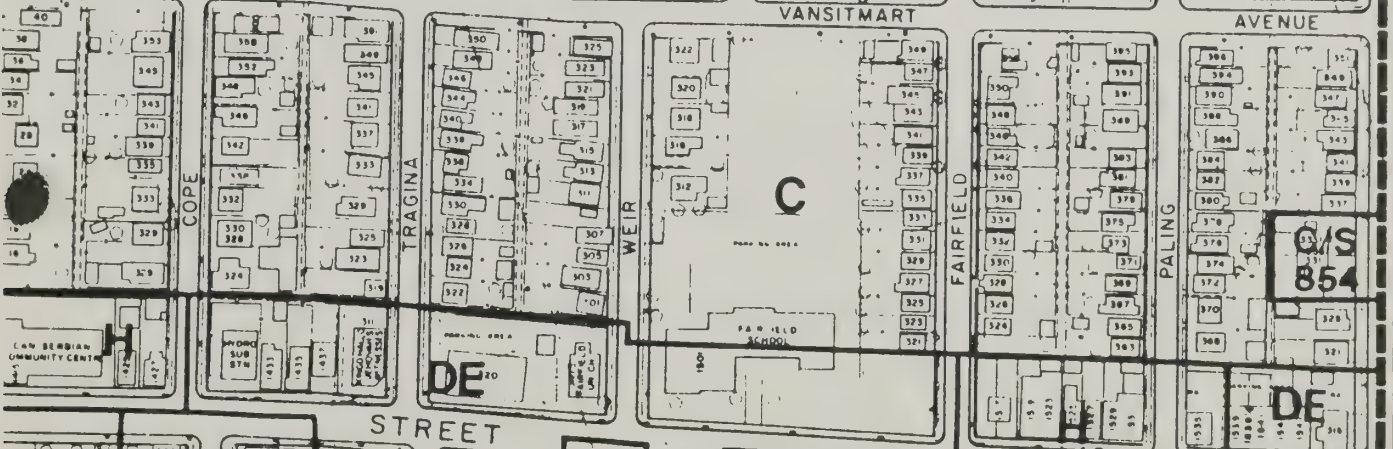
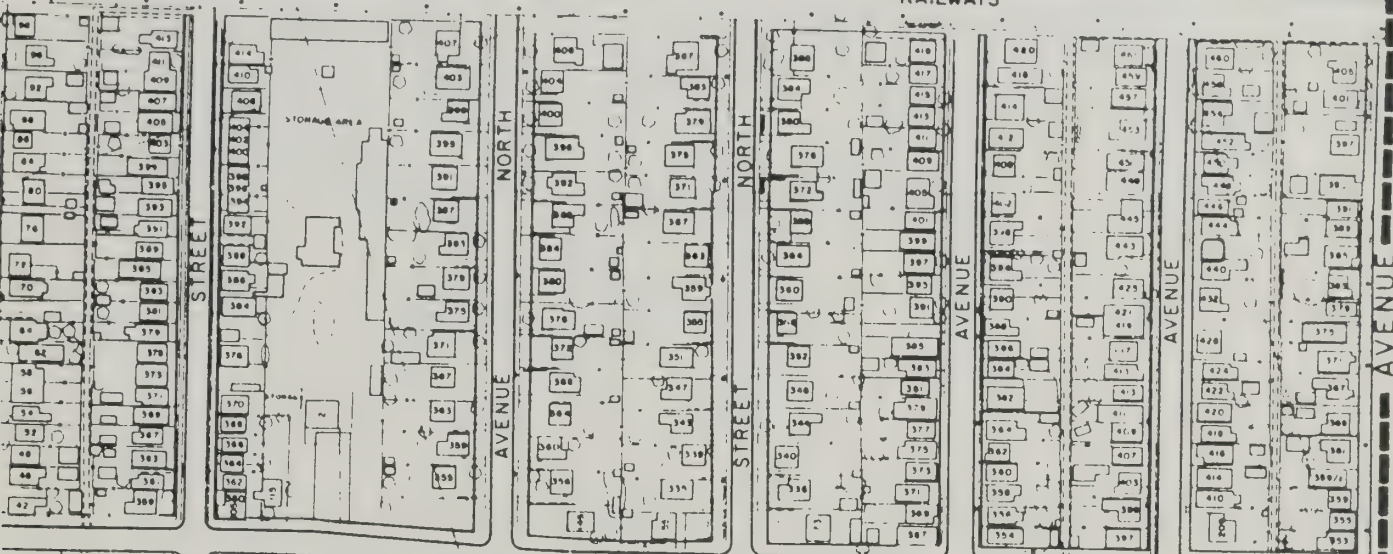


FREIGHT YARDS

CANADIAN

NATIONAL

RAILWAYS







20xixf

CITY OF HAMILTON  
- RECOMMENDATION -

**DATE:** 1993 September 22  
**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee  
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

RECEIVED

SEP 24 1993

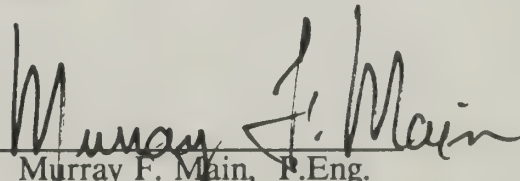
CITY CLERKS

**SUBJECT:**

No. 128 Park Row North - Request for a Wheelchair Loading Zone. [TEC-231-93]

**RECOMMENDATION:**

- a) That a "No Stopping Wheelchair Loading Zone, 10:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Park Row North commencing at a point 84 feet north of Roxborough Avenue and extending to a point 19 feet northerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

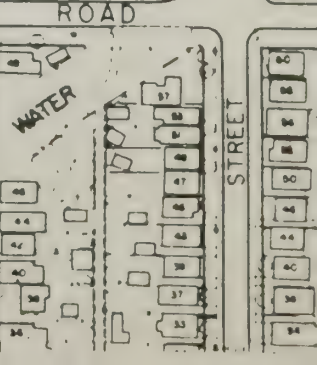
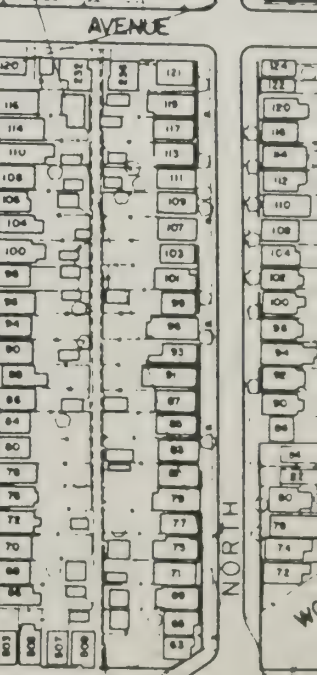
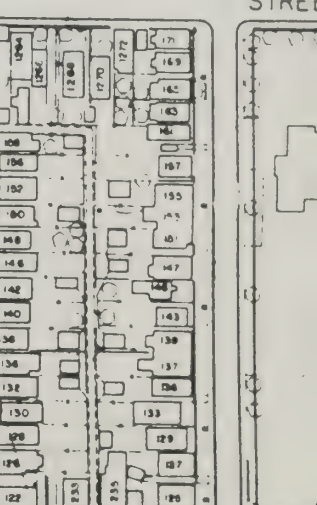
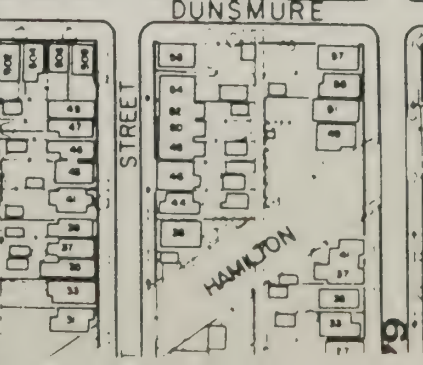
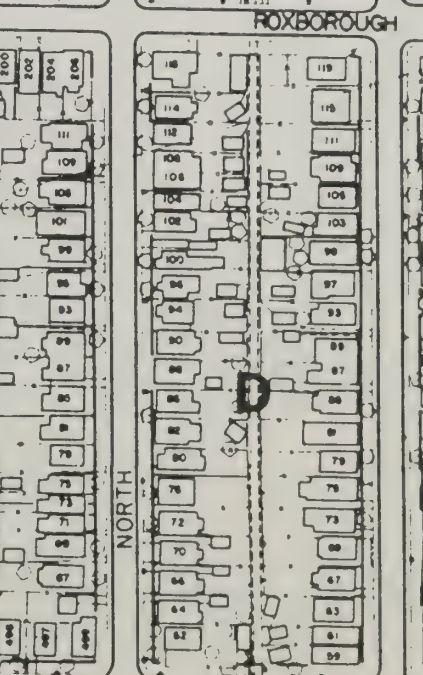
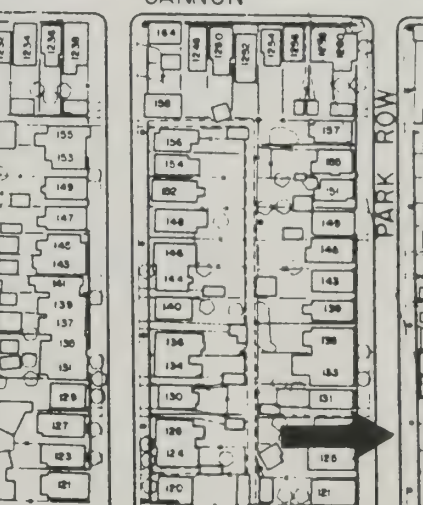
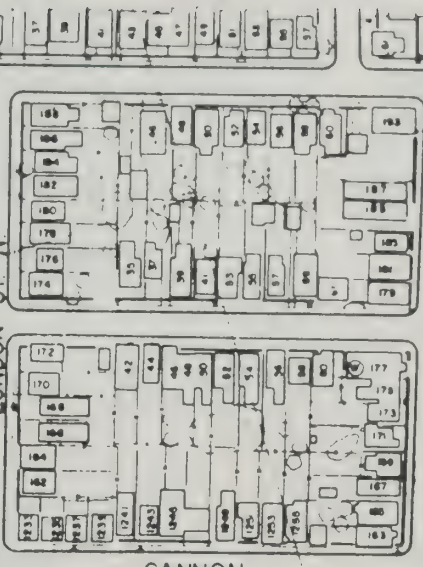
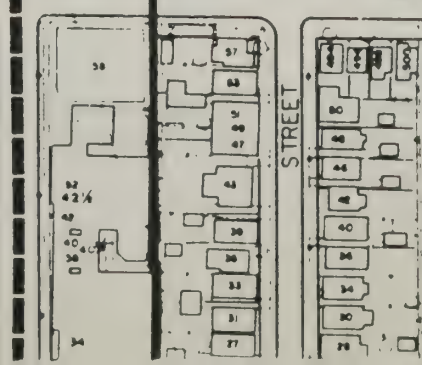
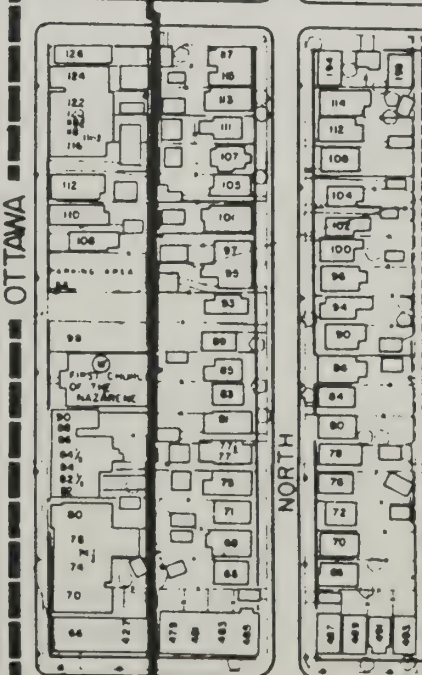
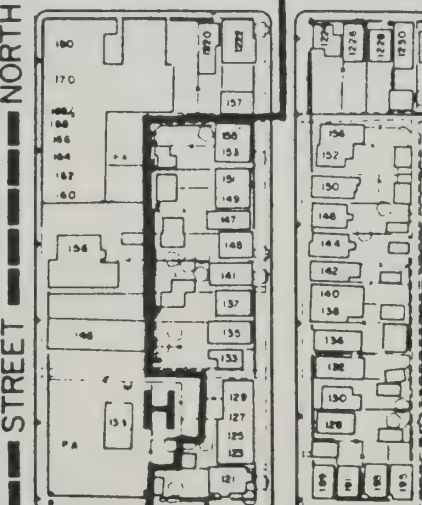
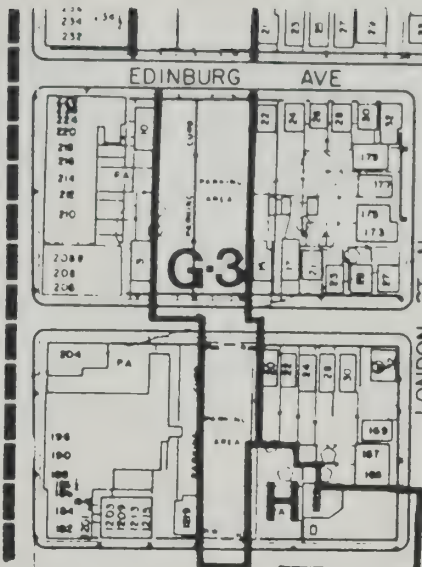
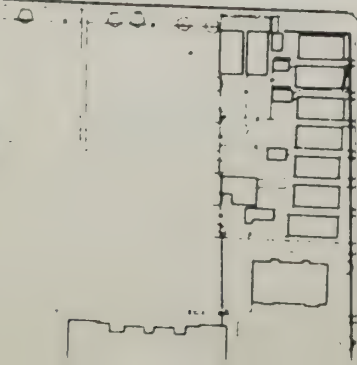
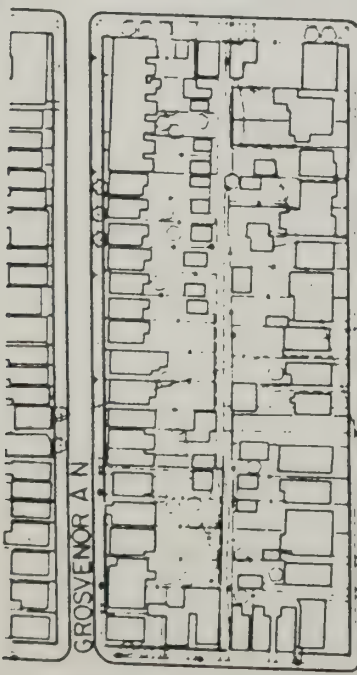
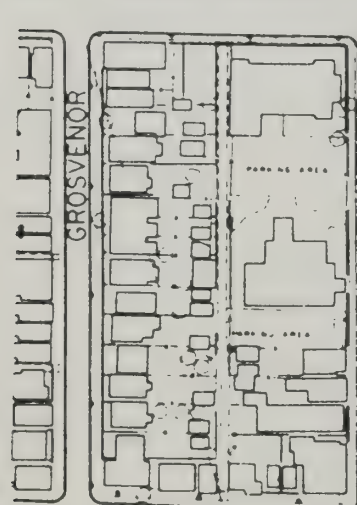
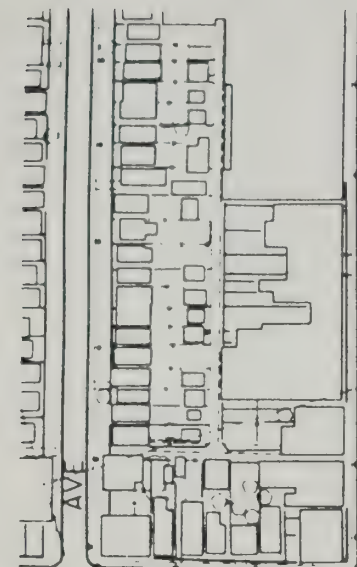
The Traffic Department has received a request from Linda Hannah, 128 Park Row North, that a wheelchair loading zone be implemented on the east side of the street in front of her home since her father is disabled and requires the use of Darts vehicles.

Park Row has a 24 foot pavement width, and presently, parking is prohibited on the west side and there is unrestricted parking on the east side of the street in this area.

The implementation of the requested regulation will not eliminate any legal on-street parking spaces due to the location of existing driveways. Therefore, the Traffic Department concurs with the request.

CAS  
CVB/MH/ca







2(BXIX9)

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 September 27

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

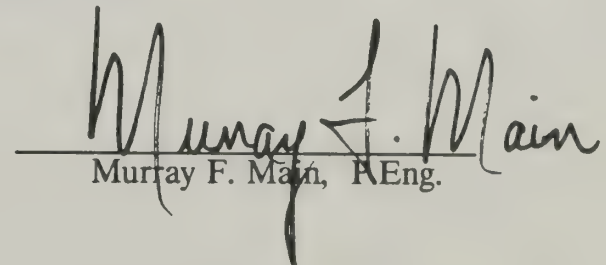
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

East side of Garfield Avenue North - Request for a reserved "Permit Parking" space for a Disabled Resident. [TEC-235-93]

**RECOMMENDATION:**

- a) That a "Permit Parking" regulation be implemented on the east of Garfield Avenue North, commencing at the north end and extending to a point 22 feet southerly therefrom; and
- b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Natale Labate, 40 Garfield Avenue North; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P. Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$12.00 annual charge for the parking permit will off-set the cost to some degree.


**BACKGROUND:**

The Traffic Department has received a request from Mr. Natale Labate, 40 Garfield Avenue North, that a reserved "Permit Parking" regulation be implemented on the east side of the



street directly in front of his home since he is disabled. Garfield has a 28 foot pavement width, and presently, there is unrestricted parking on both sides of the street in this area.

The City Council, on 1987 December 08, approved a policy to allow for the implementation of individual reserved "Permit Parking" spaces in front of disabled residents homes. This policy requires, in part, that the applicant possess a valid disabled permit issued by the Ministry of Transportation. The Traffic Department has confirmed that Mr. Labate possess a valid permit. An investigation has revealed that there is no suitable off-street parking available on the private property. Therefore, the Traffic Department concurs with the request.

  
CVB/MH/ca

AVENUE

KINRADE

CANNON

WIFE STREET

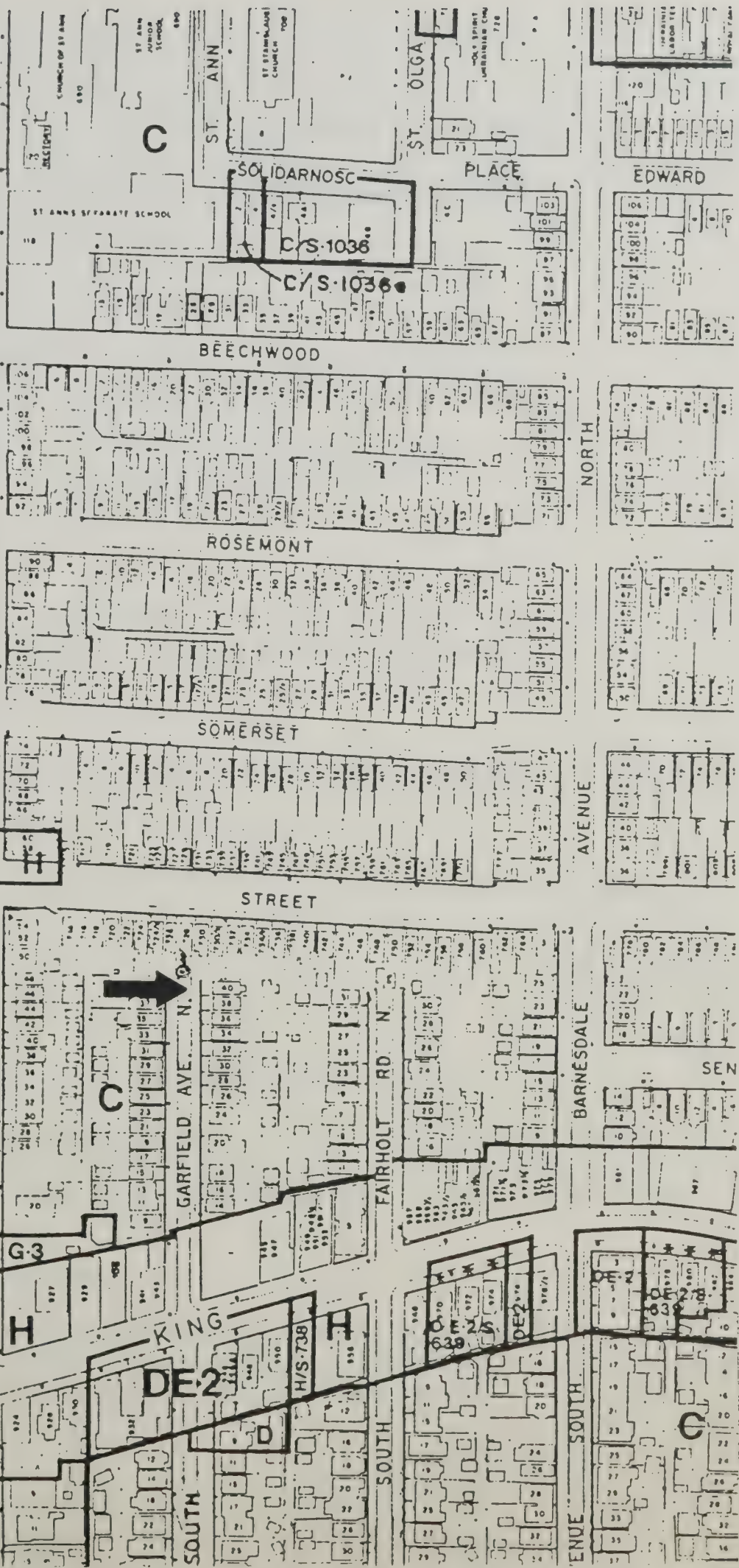
ILSON ST.

SOUTH

AVENUE

SHERMAN

SOUTH



C

SOLIDARNOSC PLACE

C/S-1036

C/S-1036

BEECHWOOD

ROSEMONT

SOMERSET

STREET

→

GARFIELD AVE. N.

C

G-3

H

KING

DE2

H/S-738

H

SOUTH

BARNESDALE

SEN

ENUE SOUTH

C





216xixx

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 October 06

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

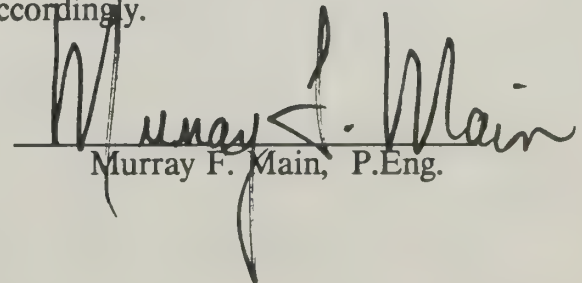
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Leeming Street, adjacent to No. 431 Cannon Street East - Request for a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-236-93]

**RECOMMENDATION:**

- a) That a "Permit Parking" regulation be implemented on the east side of Leeming Street commencing at a point 31 feet north of Cannon Street East and extending to a point 18 feet northerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$12.00 annual charge for the parking permit will off-set the cost to some degree.

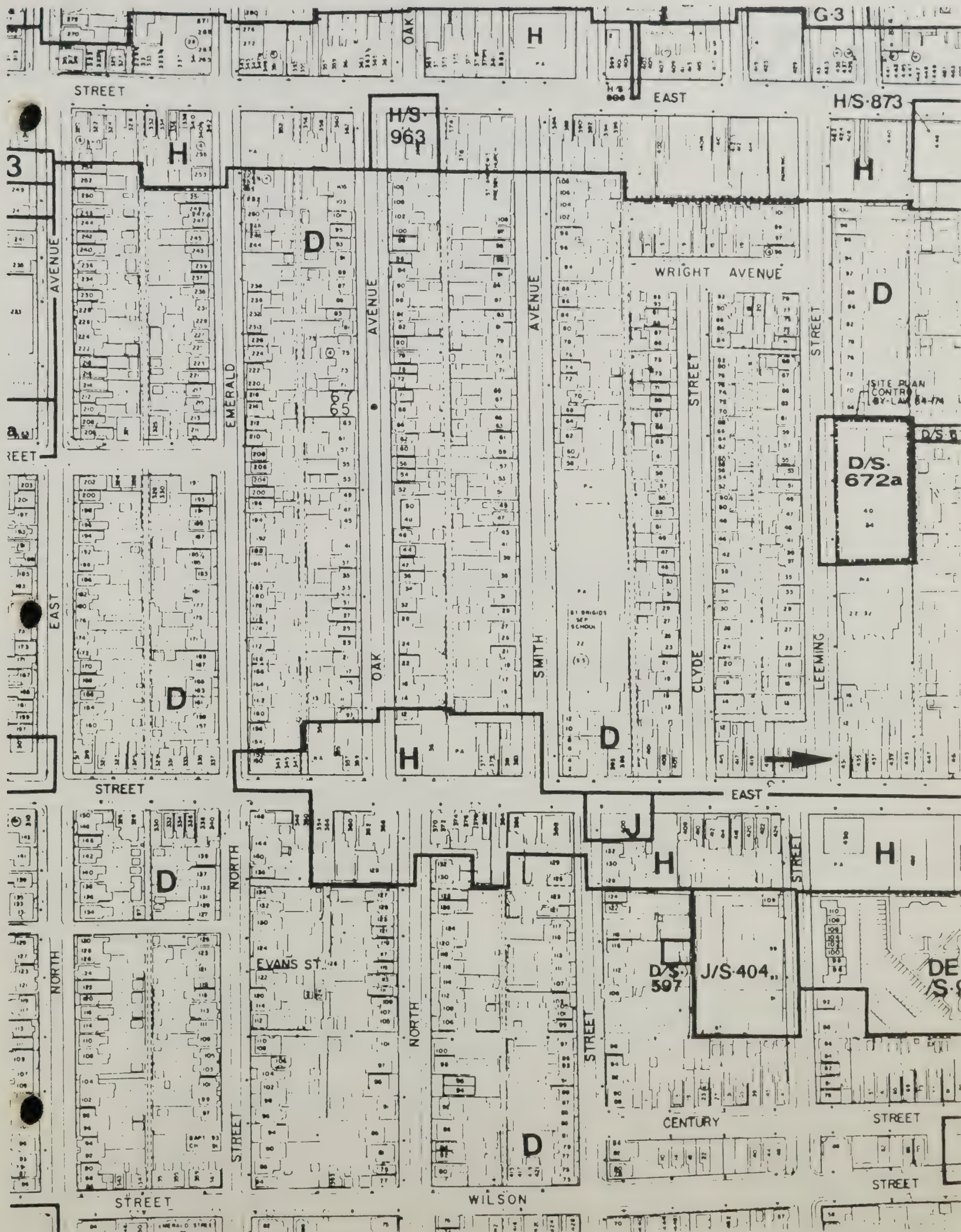
**BACKGROUND:**

The Traffic Department received a request from Mrs. Cino, No. 435 Cannon Street East, that a reserved "Permit Parking" space be designated on the east side of Leeming adjacent to No. 431 Cannon Street East, since she is disabled.

Leeming Street has a 28 foot pavement width, and presently, there is an "Alternate Side Parking" regulation on the street in this area. Therefore, normal practice is to designate a reserved "Permit Parking" space on both sides of the street. Mrs. Cino already has a "Permit Parking" regulation designated on the west side in front of No. 13 Leeming. Mrs. Cino has recently advised that she now requires a space on both sides of the street in order to provide her with parking on a full time basis under the existing "Alternate Side Parking" regulation. The resident of No. 431 Cannon Street East has advised that she has no objection to having the necessary signs erected adjacent to her property.

The City Council, on 1987 December 08, approved a policy to allow for the implementation of individual reserved "Permit Parking" spaces in front of disabled residents homes. This policy requires, in part, that the applicant possesses a valid disabled permit issued by the Ministry of Transportation. The Traffic Department has confirmed that Mrs. Cino possesses a valid permit. An investigation has revealed that there is no suitable alternative parking area available on the private property. Therefore, the Traffic Department concurs with the request.

  
MT/CVB/ks



STREET

EAST

H/S-873

H/S  
963

3

AVENUE

REET

EAST

STREET

EMERALD

AVENUE

OAK

AVENUE

SMITH

WRIGHT AVENUE

STREET

STREET

LEEMING

EAST

NORTH

EVANS ST

NORTH

WILSON

CENTURY

STREET

STREET

D/S  
672a

D/S  
597

J/S-404

DE  
S

SITE PLAN  
CONTR  
BY LAW 64-74

ST BRIGIDS  
SEP  
SCHOOL





2(6Xixi)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 29

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

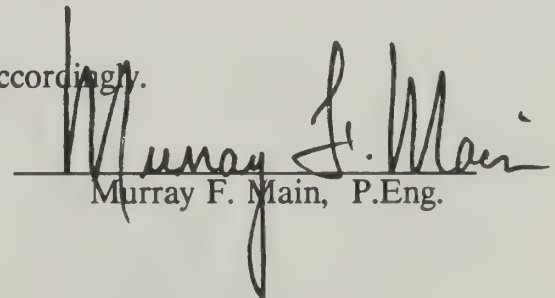
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

No. 113 Ray Street North - Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-240-93]

**RECOMMENDATION:**

- a) That the existing "Permit Parking" regulation on the west side of Ray Street North commencing at a point 75 feet south of York Boulevard and extending to a point 20 feet southerly therefrom be removed; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

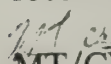
**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of removing the signs.

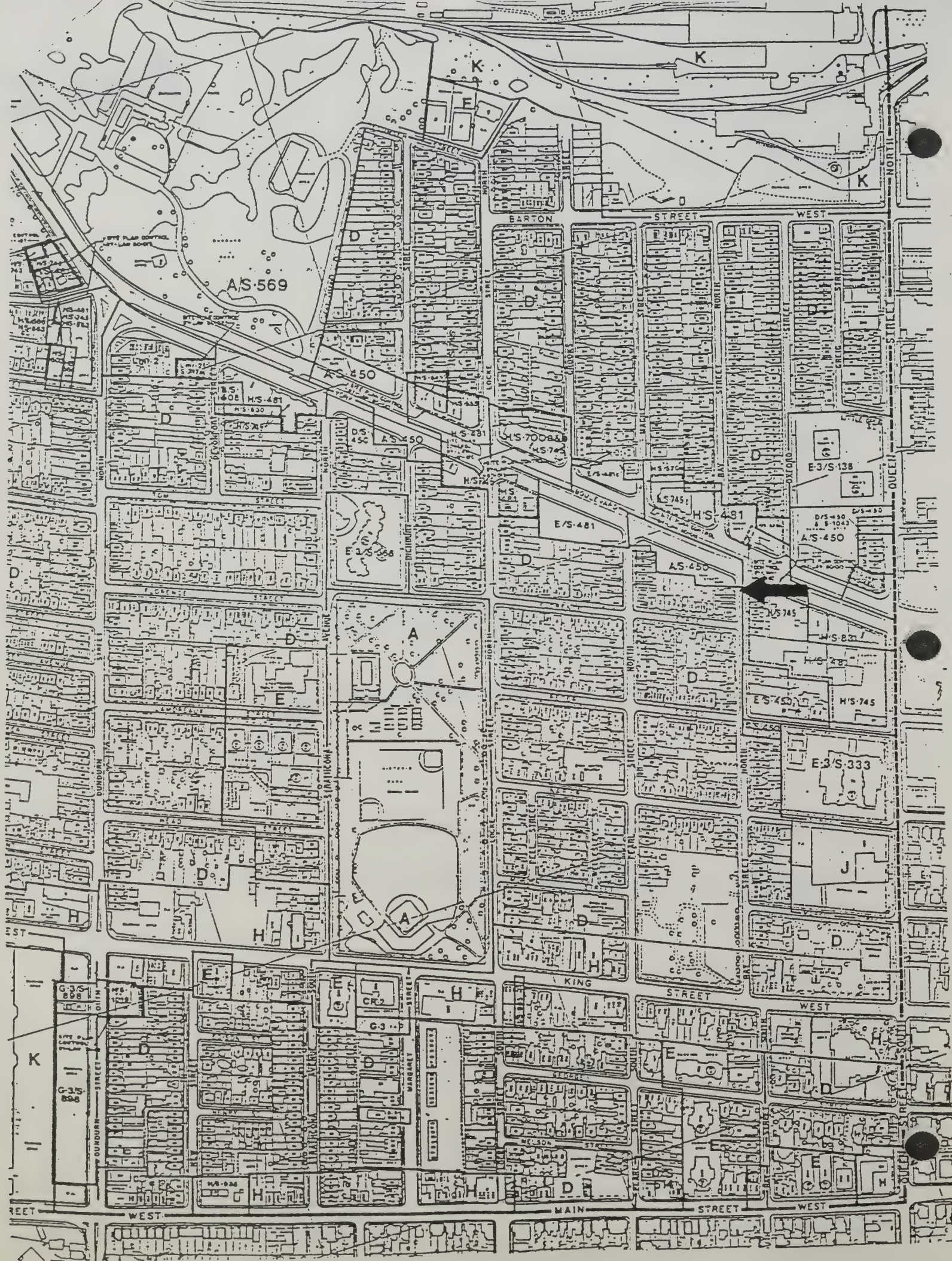
**BACKGROUND:**

In 1992 City Council approved a request from Mr. McCabe, 113 Ray Street North, to implement a reserved "Permit Parking" space in front of his home since he is disabled. However, the Traffic Department has been advised that Mr. McCabe has recently moved and therefore, it would be appropriate to remove the existing "Permit Parking" regulation.

The Traffic Department has confirmed that Mr. McCabe has moved, and therefore, recommends that the subject signs be removed.

  
MT/CVB/ks







2(6Xixj)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 29

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

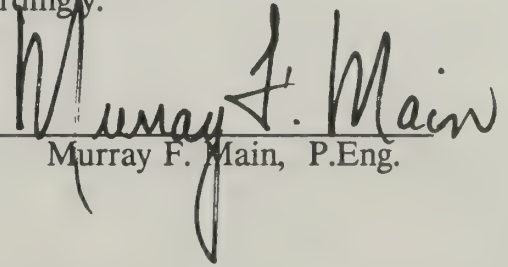
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

No. 290 South Bend Road East - Revision of a Wheelchair Loading Zone. [TEC-241-93]

**RECOMMENDATION:**

- a) That the existing "No Stopping, Wheelchair Loading Only, 10:00 a.m. to 9:00 p.m., Monday to Friday" regulation on the south side of South Bend Road East commencing at a point 280 feet east of East 16th Street and extending to a point 36 feet easterly therefrom be revised such that it will be in effect from 8:00 a.m. to 9:00 p.m., Monday to Friday; and
- b) That the City Traffic By-law 89-72 be amended accordingly.


  
Murray F. Main, P.Eng.

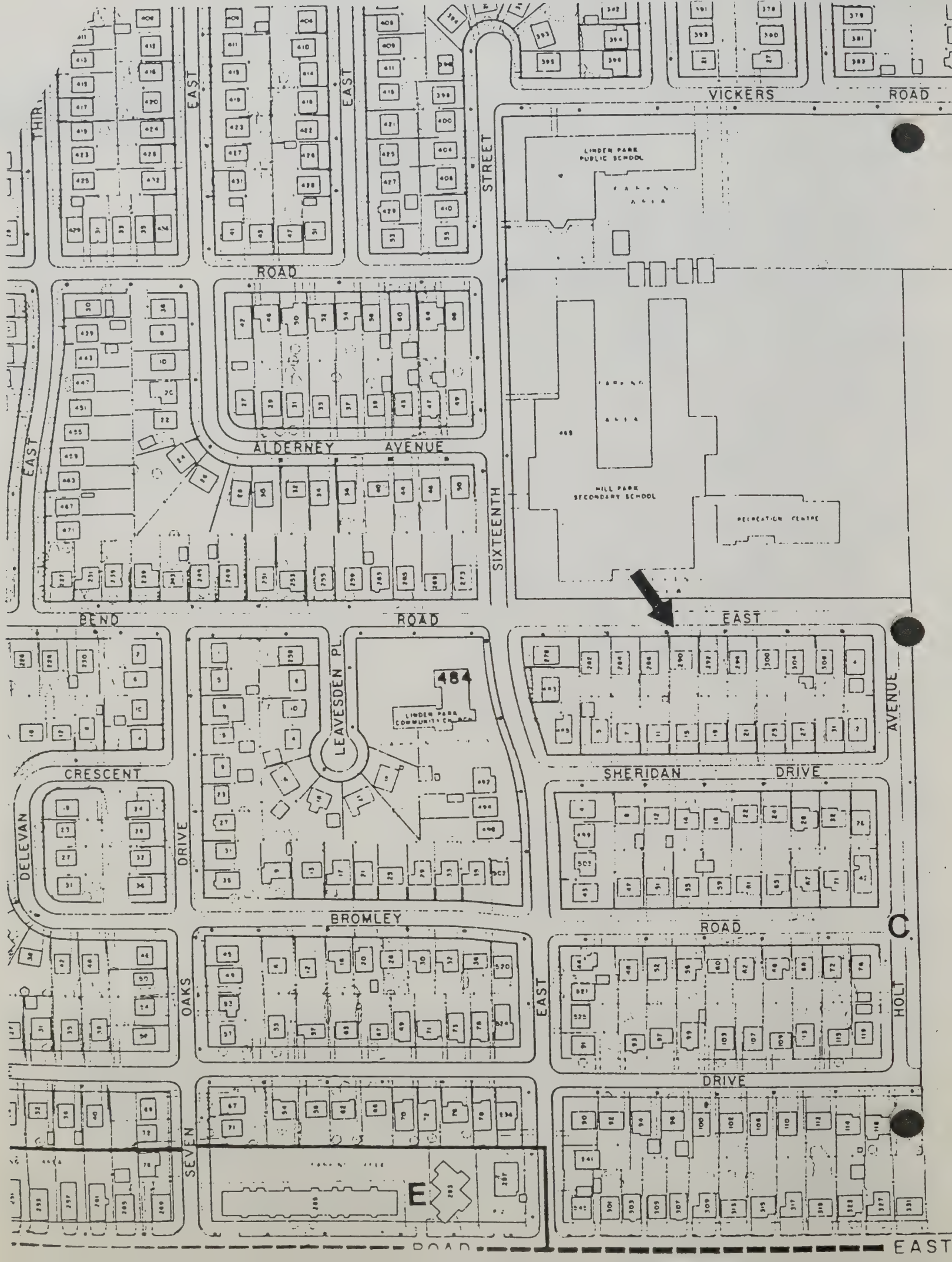
**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of changing the subject signs.

**BACKGROUND:**

The Traffic Department has received a request from Mrs. Josephine Webb, 290 South Bend Road East, to change the hours of the existing "No Stopping, Wheelchair Loading Only, 10:00 a.m. to 9:00 p.m., Monday to Friday" regulation directly in front of her home, such that the regulation would be in effect during the hours of 8:00 a.m. to 9:00 p.m., since she occasionally requires Darts vehicles earlier in the day. The Traffic Department does not anticipate any parking difficulties for area residents and concurs with the request.

  
MT/CVB/ks



2021XK

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 October 04

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

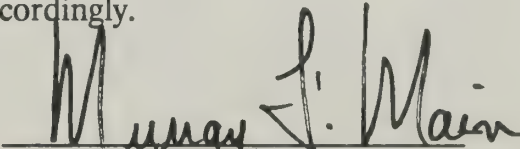
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

School Bus Loading Zone on the South Side of Queensdale Avenue East adjacent to Highview Elementary School. [TEC-237-93]

**RECOMMENDATION:**

- a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Queensdale Avenue East commencing at a point 33 feet west of the west curb line of Nancy Street and extending to a point 120 feet westerly therefrom be extended a further 40 feet westerly; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds have been provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

The Board of Education for the City of Hamilton has requested that the existing School Bus Loading Zone located on the south side of Queensdale Avenue East adjacent to Highview Elementary School be extended to accommodate an additional school bus (4 in total).

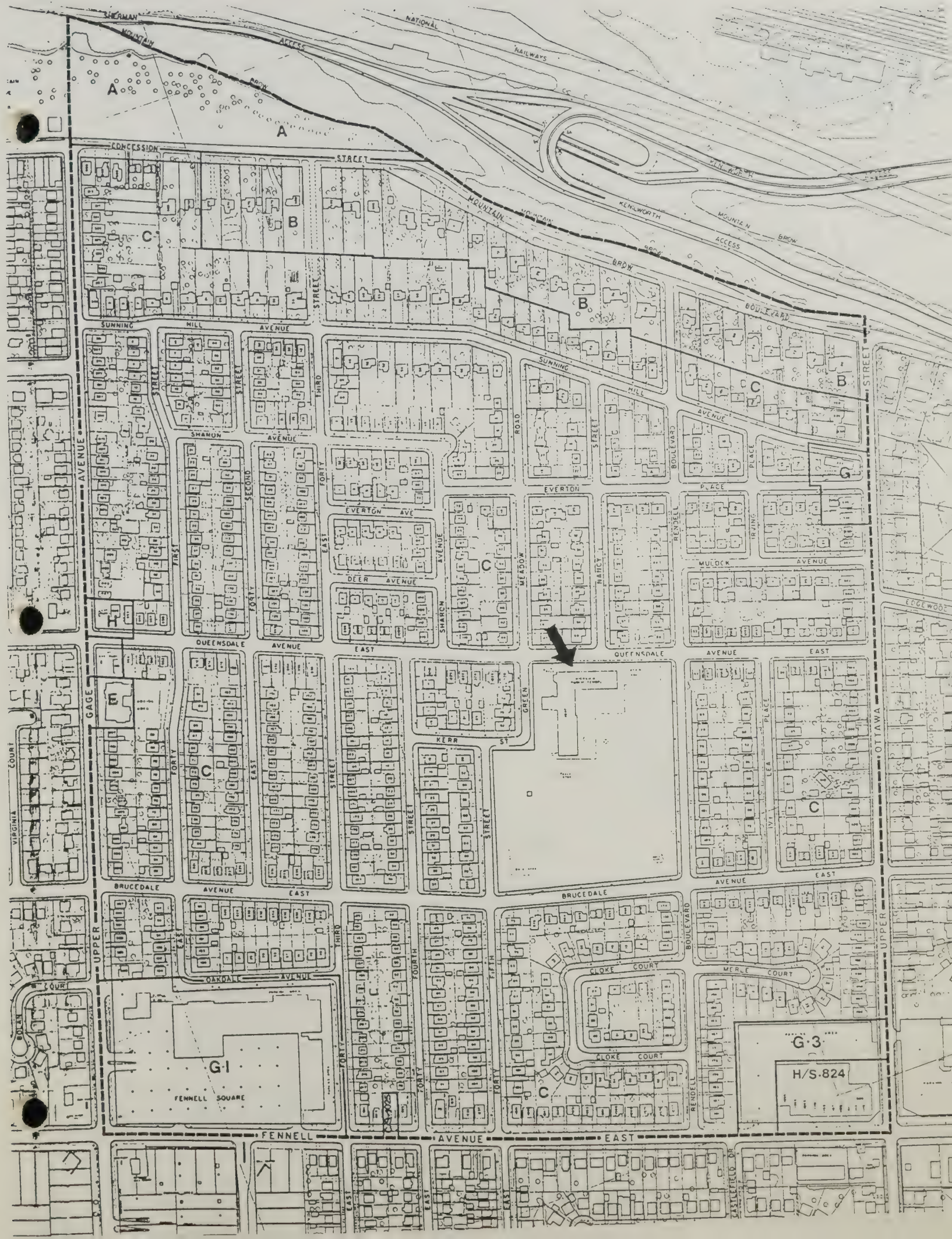


On 1992 July 28, City Council approved the current location for a School Bus Loading Zone regulation. At the time of approval, the school was serviced by three school buses and the extent of the regulation was deemed satisfactory by both the City and School Board.

The area of the proposed School Bus Loading Zone extension is currently unrestricted parking. However, there are only two residential properties on the opposite side of the street and both have off-street parking available. Therefore, the proposed School Bus Loading Zone extension should have no impact on the neighbouring residential properties.

Although school buses are permitted to stop to load and unload children in this area, the Ontario Highway Traffic Act requires that the red signal lights on a school bus must be flashing, and vehicular traffic must stop in both directions while the loading and unloading of children is taking place, except at a designated School Bus Loading Zone. Therefore, in order to allow vehicular traffic to proceed while loading and unloading of school children is taking place on Queensdale, the Traffic Department concurs with the request.

TA/MH/ks









26xi(1)

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 September 22

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

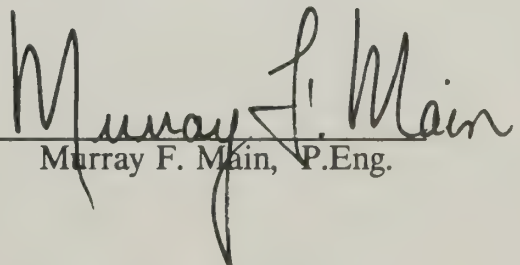
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Lower Horning Road and Whitney Avenue - Corner Clearance. [TEC-228-93]

**RECOMMENDATION:**

- a) That a "No Stopping" regulation be implemented on the west side of Lower Horning Road commencing at Whitney Avenue and extending to a point 71 feet southerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

The Traffic Department has received a request from Mr. Pompeo Trigiani, 167 Lower Horning Road, that a corner clearance be implemented at the intersection of Lower Horning and Whitney to facilitate turning movements at this intersection.

Lower Horning has a 28 foot pavement width, and presently, there is unrestricted parking on both sides of the street, south of Whitney. The Traffic Department has confirmed that

parked vehicles on both sides of the street do obstruct turning movements to some degree, and therefore, concurs with the request.

The implementation of the requested regulation will result in a loss of one legal on-street parking space. However, since virtually all residents have available off-street parking and since parking would be permitted on both sides of the street for the remainder of the block, the Traffic Department does not anticipate any parking difficulties for area residents.

*CVB*  
CVB/MH/ca

E/S-17

A

LIMITS

A-H/S-III3

E-H/S-III3a

E

C

G-1

H/S-37

H

B1

H

WHITNEY

STREET

OFIELD

SHERIDAN LANE

MERICOURT

ELIZABETH CT

AVE

RAMSEY CRES

RD

RD

LOWER

HORNING

RADFORD ST

RD

ROAD

STREET







26Xixa

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 September 29

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

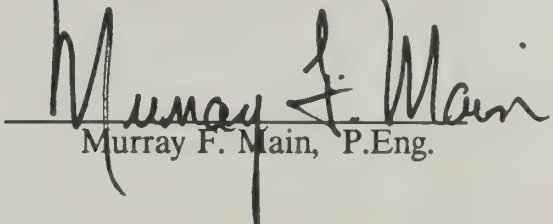
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Crockett Street and Upper Gage Avenue - School Crossing Guard. [TEC-238-93]

**RECOMMENDATION:**

- a) That the existing hours of the School Crossing Guard at the intersection of Crockett Street and Upper Gage Avenue be extended to include the lunch time school crossing periods; and
- b) That the extended times be considered to be on a trial basis until the end of 1993.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The extended hours can be accommodated within the existing 1993 School Crossing Guard Program budget.

**BACKGROUND:**

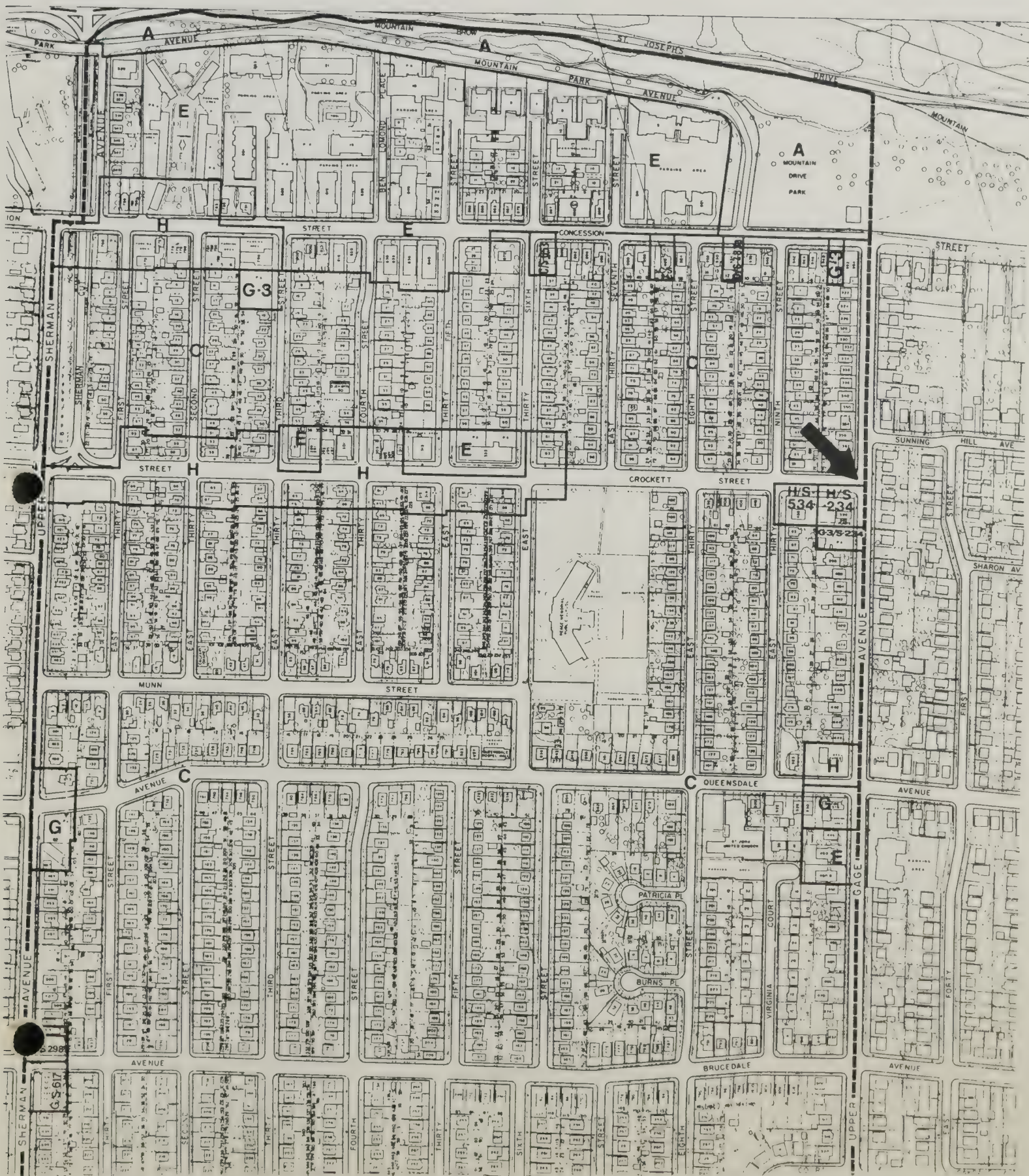
On 1986 November 11, the City Council assigned a School Crossing Guard to the intersection of Crockett Street and Upper Gage Avenue for the morning and evening periods only. The Traffic Department has recently been contacted by Mrs. Mary Blanchard, 4 Sunninghill Avenue, and advised that children are now crossing at this location during the lunch period and are experiencing difficulty in crossing Upper Gage Avenue.

On 1993 September 14 and September 15, staff investigated the concern and determined that there are an insufficient number of safe gaps to allow the children to cross on their own during the lunch hour. Therefore, it is recommended that the existing School Crossing Guard provide adult supervision during the lunch periods to increase safety for these children.

Due to the number of children observed crossing at this location (average of 7 per crossing period) staff wish to reaffirm that these children continue to cross during the lunch periods. Therefore, it is recommended that the lunch hour service be implemented on a trial basis until the end of 1993 so that it can be determined that a sufficient number cross during the lunch time on a regular basis.

MT/CVB/ks









216X1124

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 October 07

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** Mr. M. F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

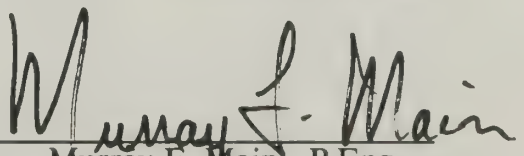
Barton Street East and Nash Road - School Crossing Guard. [TEC-60-93]

**RECOMMENDATION:**

That the School Crossing Guard service be discontinued during the lunch hour period at the signalized intersection of Barton Street East and Nash Road.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The reduction in hours of this school crossing location will result in a savings of approximately \$2,200.00 per year. The current School Crossing Guard at this location has requested relocation to a crossing which does not involve duty times at the lunch hour and therefore, agrees with the reduced hours of work.

  
Murray F. Main, P.Eng.

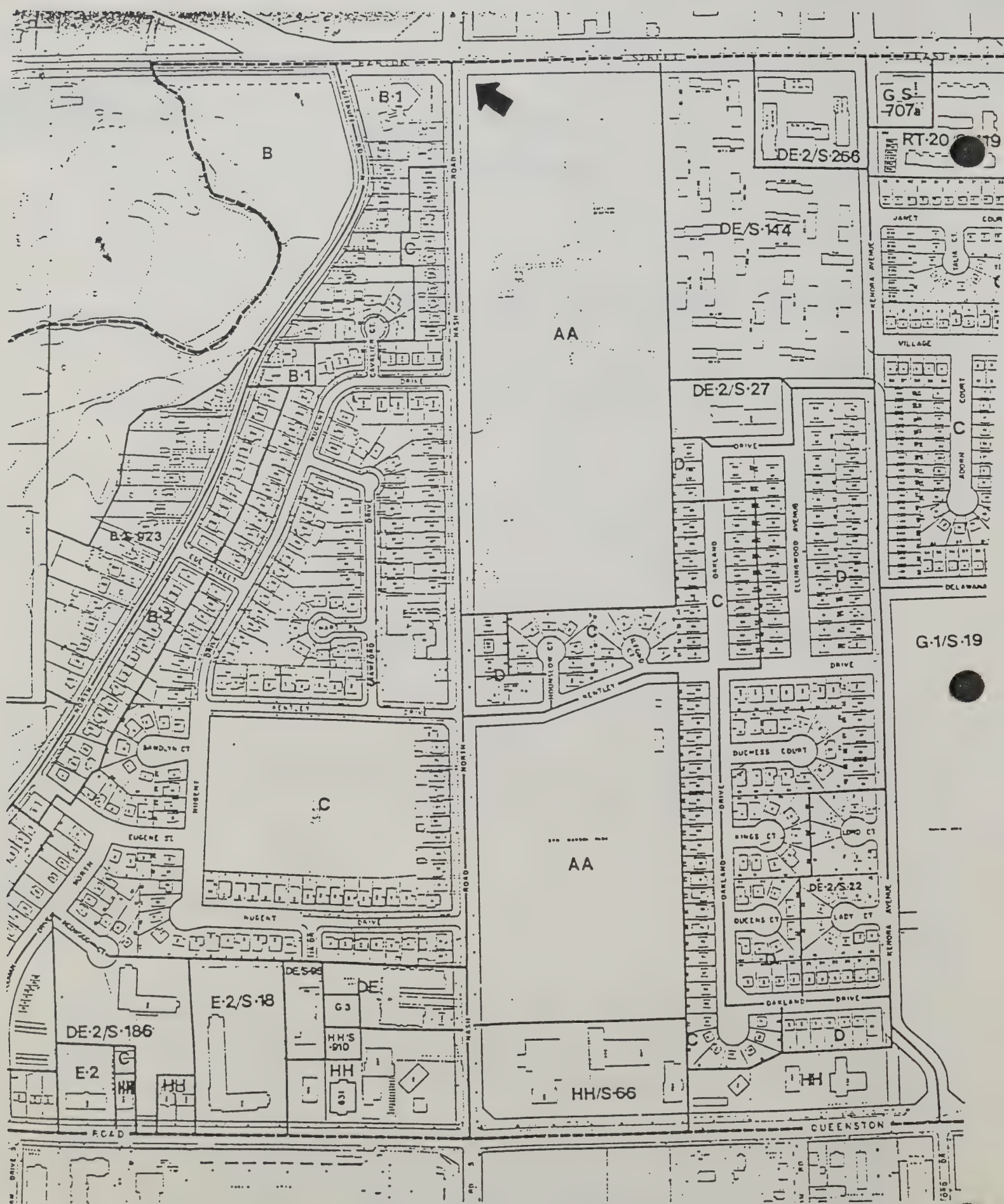
**BACKGROUND:**

The above recommendation was approved by the Transport and Environment Committee at the meeting of 1993 May 03, but at the 1993 May 11 City Council meeting Alderman Dominic Agostino requested that the item be referred back to Committee with the request that St. Bernard's School be contacted for their comments on the proposed recommendation.

Traffic Department staff recently were contacted by the principal of St. Bernard's School who agrees with the proposal to eliminate the school crossing service during the lunch hour. Therefore, since all three schools in the area support the recommendation the Traffic Department recommends that the crossing times be changed to eliminate the lunch hour periods at Barton and Nash.

TA/MH/ks





2(BXiii)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 October 8

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

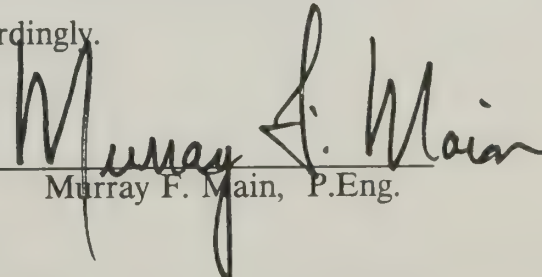
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Eva Street and Eaglewood Drive - Snow Route Designations [TEC-253-93]

**RECOMMENDATION:**

- (a) That the following streets be designated as snow routes:
- Eva Street between Rymal Road and Eaglewood Drive
  - Eaglewood Drive between Eva Street and Eleanor Avenue
- (b) That the City Traffic By-law 89-72 be amended accordingly.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Sufficient funds are available in the 1993 Traffic Department operating budget to cover the cost of manufacturing, erecting and maintaining the required signs.

**BACKGROUND:**

The Hamilton Street Railway Company has requested that Eva Street from Rymal to Eaglewood and Eaglewood from Eva to Eleanor be designated as snow routes, in order that parked vehicles may be ticketed and/or removed during a declared snow emergency. The Traffic Department concurs with this request since these streets are now Bus Routes.

MH/jd





2(cxi)

CITY OF HAMILTON  
- RECOMMENDATION -

**DATE:** 1993 September 24  
S701-71, M.J. Inrig

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** Mr. E. M. Gill, P.Eng.  
Senior Director  
Roads Department

RECEIVED

SEP 27 1993

CITY CLERKS

**SUBJECT:** 1993 Servicing Expenditures Related to Subdivisions R-93-72

**RECOMMENDATION:**

- a) That the portion of Item 44 of the Transport and Environment Committee Report 8-93 adopted by City Council on 1993 June 29, which refers to the approval of engineering schedules for "Allison Estates - Phase 1", Hamilton be DELETED.
- b) i) That the submitted schedule of works be adopted for inclusion in the subdivision agreement with the Owners for the estimated cost of services in:

"ALLISON ESTATES - PHASE 1", Hamilton

City's Share - \$186,454.94, Owner's Share - \$292,573.06


- ii) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreement with the owners of "Allison Estates - Phase 1", Hamilton as well as any other related documents for this development, subject to the approval of the City Solicitor.
- iii) That approval of the above noted clauses be subject to the condition that no work be commenced until the final plan and subdivision agreement has been registered.

Cont'd...

**1993 Servicing Expenditures Related to Subdivisions R-93-72**

Cont'd.....

- iv) That in the event the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement, they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for Pre-Servicing.
- v) That the City's share of services in "Allison Estates - Phase 1", Hamilton (\$43,710.79) be approved and that the Finance and Administration Committee recommend the source of funding for this project.

  
\_\_\_\_\_  
E.M. Gill, P.Eng.



**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The total estimated revised cost of the City's share to be approved at this time for "Allison Estates Phase - 1" is **\$186,454.94**.

A portion of the City's share (**\$33,319.73**) is associated with extra width and extra depth asphalt on Upper Wellington Street and extra depth asphalt on Jacqueline Boulevard. The remainder of the City's share (**\$153,135.21**) is associated with above and below ground municipal works on Upper Wellington Street adjacent to lands owned by the City of Hamilton.

Under the original submission for "Allison Estates - Phase 1", a recommendation was sent to the Finance and Administration Committee to approve financing in the amount of **\$142,744.15**. As the City is currently holding these funds in reserve for this project, we are recommending at this time that an **additional amount of \$43,710.79** be approved to achieve a total City share of **\$186,454.94** for "Allison Estates - Phase 1" (revised).

The above noted costs have been calculated in accordance with current City of Hamilton cost sharing policies and there will be no recovery of monies in the future as these works are adjacent to City owned lands and oversizing of services.

Cont,d.....

**1993 Servicing Expenditures Related to Subdivisions R-93-72**

Cont'd.....

**BACKGROUND:**

On 1993 February 3, City Council in adopting Item 10(b) of the Transport and Environment Committee Report 3-93 approved the proposed draft plan for "Allison Estates" under the condition that the Owner (200 Rymal Road Inc.) enter into a subdivision agreement with the City. "Allison Estates - Phase 1" (revised) is a smaller phase of the original approved draft plan.

City Council has previously approved engineering schedules for "Allison Estates - Phase 1", however the Owners have revised the Phase 1 development to include two (2) additional streets (Jacqueline Boulevard & Piano Drive) and thirty-two (32) single family residential lots in addition to the extension of Upper Wellington Street and the multiple residential block originally proposed.

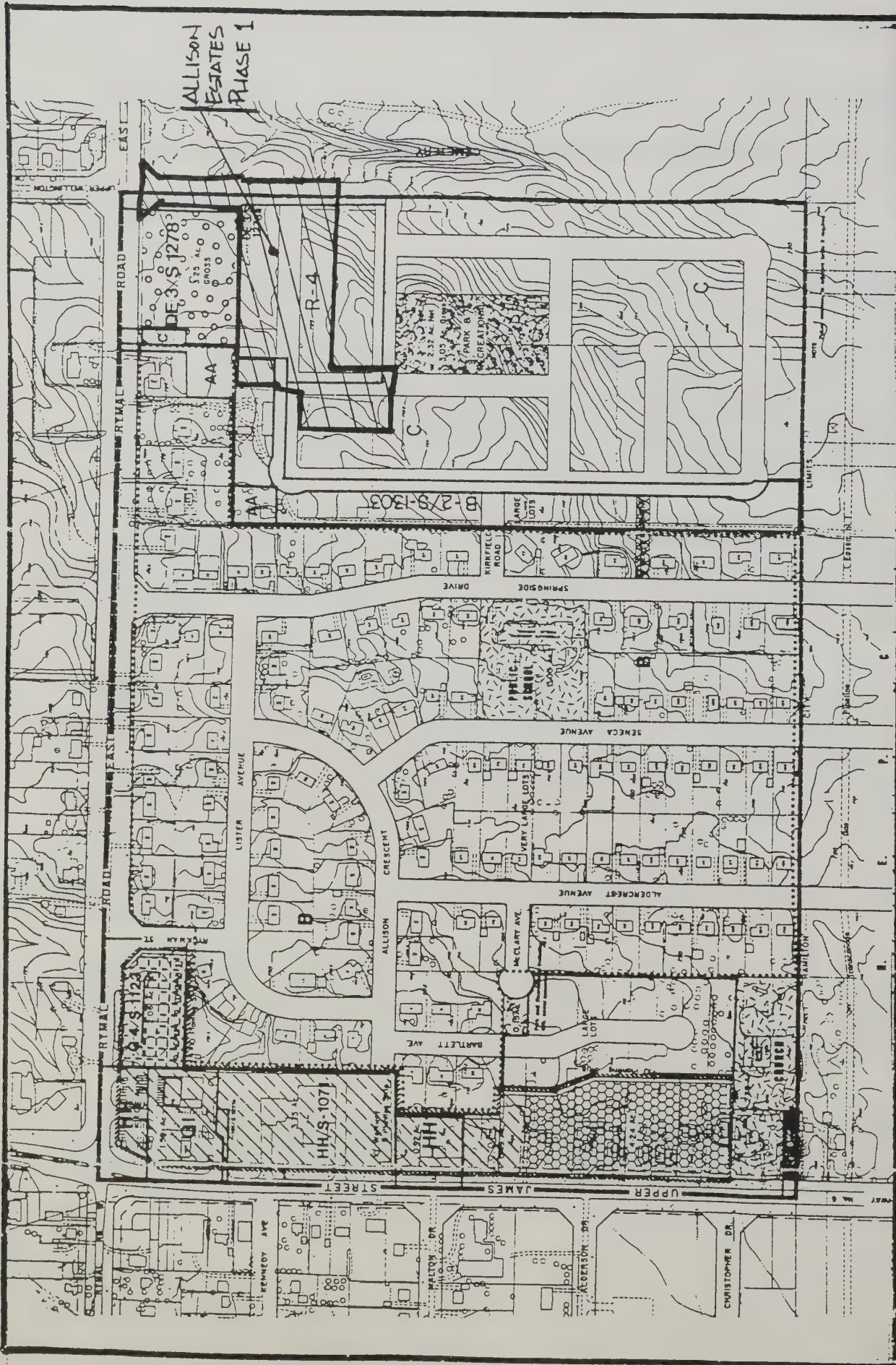
An estimate of costs for the revised Phase 1 development have been calculated in accordance with current City of Hamilton cost sharing policies and the City will be sharing fifty percent of the cost of services on Upper Wellington Street due to adjacent lands owned by the City on the east side of the street. In addition, the City will be paying the cost for extra width and depth of the roadway asphalt on Jacqueline Boulevard and Upper Wellington Street as discussed in the Financial Section of this report.

The lands of "Allison Estates - Phase 1" are located on the south side of Rymal Road East and west of Upper Wellington Street in the Allison Planning Neighbourhood.

 MJJ:

cc: Councillor D. Ross, Chairman, Finance and Administration Committee  
cc: S. Reeder, Secretary, Finance and Administration Committee  
cc: A. Ross, City Treasury Department





ALLISON  
ESTATES  
PHASE 1



KEY PLAN

N.T.S.

Allison

APPROVED PLAN

1993 SUBDIVISION EXPENDITURE SUMMARY : CITY'S SHARE OF EXPENDITURES

SUBDIVISION DEVELOPER CONSULTANT SURVEYOR	# OF LOTS and LOCATION	SUBDIVISION AGREEMENT AUTHORIZATION	DESCRIPTION OF WORKS	CITY OWNED LANDS	NON-RECOVERABLE & OVERSIZED COSTS	TOTAL CITY'S SHARE	TOTAL SUBDIVIDER'S SHARE	TOTAL SERVICING COSTS
ALLISON ESTATES PHASE 1	32 Lots	Item 10(b)	Catch Basins & Connections	\$5,657.00	\$0.00			
	1 Townhouse	P&D 3-93	Curbs & Sidewalks	\$17,819.55	\$0.00			
200 RYMAL ROAD INC.	Block	93-02-03	Finished Roads	\$28,680.99	\$33,319.73			
Urbex Engineering Ltd.	Hamilton		Dead End Barricade	\$565.70	\$0.00			
W. Bruce Clark, O.L.S.			Street Lighting	\$2,250.00	\$0.00			
(Dept. File: S701-71)			Seeding/Sodding	\$3,767.40	\$0.00			
			Sewers	\$59,217.89	\$0.00			
			Watermains	\$35,176.68	\$0.00	\$186,454.94	\$292,573.06	\$479,028.00
* - Total costs for revised Phase 1 lands.								
*** - Total costs previously approved for the Phase 1 lands.								
			Catch Basins & Connections	\$2,262.80	\$0.00			
			Curbs & Sidewalks	\$11,523.31	\$0.00			
			Finished Roads	\$40,334.41	\$0.00			
			Dead End Barricade	\$565.70	\$0.00			
			Street Lighting	\$1,500.00	\$0.00			
			Seeding/Sodding	\$3,059.00	\$0.00			
			Sewers	\$48,093.83	\$0.00			
			Watermains	\$35,405.10	\$0.00	\$142,744.15	\$58,138.48	\$200,882.63
***								
			Catch Basins & Connections	\$3,394.20	\$0.00			
			Curbs & Sidewalks	\$6,296.24	\$0.00			
			Finished Roads	(\$11,653.42)	\$33,319.73			
			Dead End Barricade	\$0.00	\$0.00			
			Street Lighting	\$750.00	\$0.00			
			Seeding/Sodding	\$708.40	\$0.00			
			Sewers	\$11,124.06	\$0.00			
			Watermains	(\$228.42)	\$0.00	\$43,710.79	\$234,434.58	\$278,145.37
***								

TOTALS:

\$10,391.06 \$33,319.73 \$43,710.79 \$234,434.58 \$278,145.37

==> OVERSIZING EXPENDITURES are Non-Recoverable

==> 0.3 METRE RESERVE EXPENDITURES are Fully Recoverable





2(cxii)

CITY OF HAMILTON  
- RECOMMENDATION -

**DATE:** 1993 September 24

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

RECEIVED

**FROM:** E. M. Gill, P.Eng.  
Senior Director  
Roads Department

SEP 27 1993

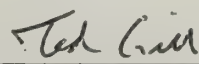
CITY CLERKS

**SUBJECT:**

Incorporating certain City lands into various streets by By-Law. (R-93-74)

**RECOMMENDATION:**

- a) That the following City lands be incorporated into the street as noted in Schedule "A":
- |              |        |                |
|--------------|--------|----------------|
| Dalcar Court | Part 6 | Plan 62R-12332 |
|--------------|--------|----------------|
- b) That the By-Law to carry out the incorporation of the said lands into the foregoing street be enacted by Council.
- c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Law.

  
\_\_\_\_\_  
E. M. Gill, P. Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

Cont'd...

**BACKGROUND:**

To complete the final street width or to provide access to newly registered subdivision developments, it is necessary to incorporate City lands into the road allowance as indicated below.

**SCHEDULE "A"**

<u>Incorporating into Street Name</u>	<u>Description of Lands being Incorporated</u>	<u>Financial Implications</u>	<u>Reason for being Incorporated</u>	<u>File No.</u>
Dalcar Court	Part of Lot 20, Concession 6, in the former geographic township of Barton, designated as Part 6, on Plan 62R-12332	N/A	To provide access from Parts 1-5 (both inclusive), Plan 62R-12332, to Upper Paradise Road	S610-03 S701-68

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cb:HS/KL  
encls.

cc/Mr. F. Angelici, Planning Department  
cc/Mr. M. Watson, Property Department

CITY OF HAMILTON

- RECOMMENDATION -

2(cXiii)

**DATE:** 1993 October 13  
T103-50 (1064) J. K. Clairmont

**REPORT TO:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** E. M. Gill  
Senior Director  
Roads Department

**SUBJECT:** Advertent Encroachment  
Railway Spur Line, Pier - 15,  
Hamilton Harbour Commissioners

(R-93-76)

**RECOMMENDATION:**

That the application of R. A. Edwards, agent for The Hamilton Harbour Commissioners (605 James North, Hamilton L8L 1K1) to install railway spur lines to serve Pier 15, crossing the Northerly Limits of Wentworth Street, Niagara Street and Hillyard Street, be approved, subject to the following conditions:

1.
  - i) That the applicant enter into an Encroachment Agreement in a form satisfactory to the Commissioner of Transportation/Environmental Services and the Law Department;
  - ii) That the applicant pay a first year fee of \$230. for processing and registration and an annual fee of \$6742.31;
  - iii) That the applicant's contractor be bonded with the Region of Hamilton-Wentworth and the City of Hamilton to make excavations on City Streets;
  - iv) That the applicant build a structure to protect the existing 15" and 18" sewers on Hillyard Street, satisfactory to the Commissioner of Transportation/Environmental Services;
  - v) That the applicant be responsible for any costs incurred by Hamilton Hydro and/or Bell Canada for relocation of any existing plant;
  - vi) That during operation of the spur lines the applicant provide a flagman for protection of the public during any train movement within the road allowance;
  - vii) That the applicant agree that the traffic flow will not be disrupted by the trains for a period of more than 10 minutes;

Cont'd .....



**Encroachment Agreement  
Hamilton Harbour Commissioners**

Cont'd .....

- viii) That the applicant install, repair, maintain and replace all cross bucks, ballasts, steel rails, tie plates, spikes, wood ties and asphalt within the road allowance, at no expense to the City;
- 2. That the Mayor and the City Clerk be authorized to sign and execute all necessary documents to execute this agreement;

  
\_\_\_\_\_  
E. M. Gill, P. Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

An application to enter into an encroachment agreement with the City of Hamilton has been received from R. A. Edwards, agent for The Hamilton Harbour Commissioners. The applicant has requested to install railway spur lines to serve Pier 15. The rails will cross Wentworth Street North measuring 30m x 3m, Niagara Street measuring 9m x 1.50m, and Hillyard Street measuring 25m x 3m.

The City of Hamilton Property Department (Real Estate Division) has determined the land use fee to be \$37.67 per square metre. The annual fee, including a \$20. annual insurance fee, will therefore be \$6742.31.

Notice of this application was sent to affected municipal departments and utility companies and no objections were received. However, the Region's Environmental Services Department indicates that there are 2 shallow sewers on Hillyard Street that will require a structure to be built over top to provide protection.

As well, Hamilton Hydro and Bell Canada will require the applicant to pay any relocation costs that may occur as a result of this application.

This Department recommends, that in addition to the standard requirements for encroachments, that the crossings not be obstructed for a period in excess of ten minutes and that a flagman be provided.

JKC:

cc: D. Vyce, Director of Property  
cc: A. Ross, City Treasurer

INDUSTRIAL SECTOR "B"  
AND KEITH  
EXISTING ZONING

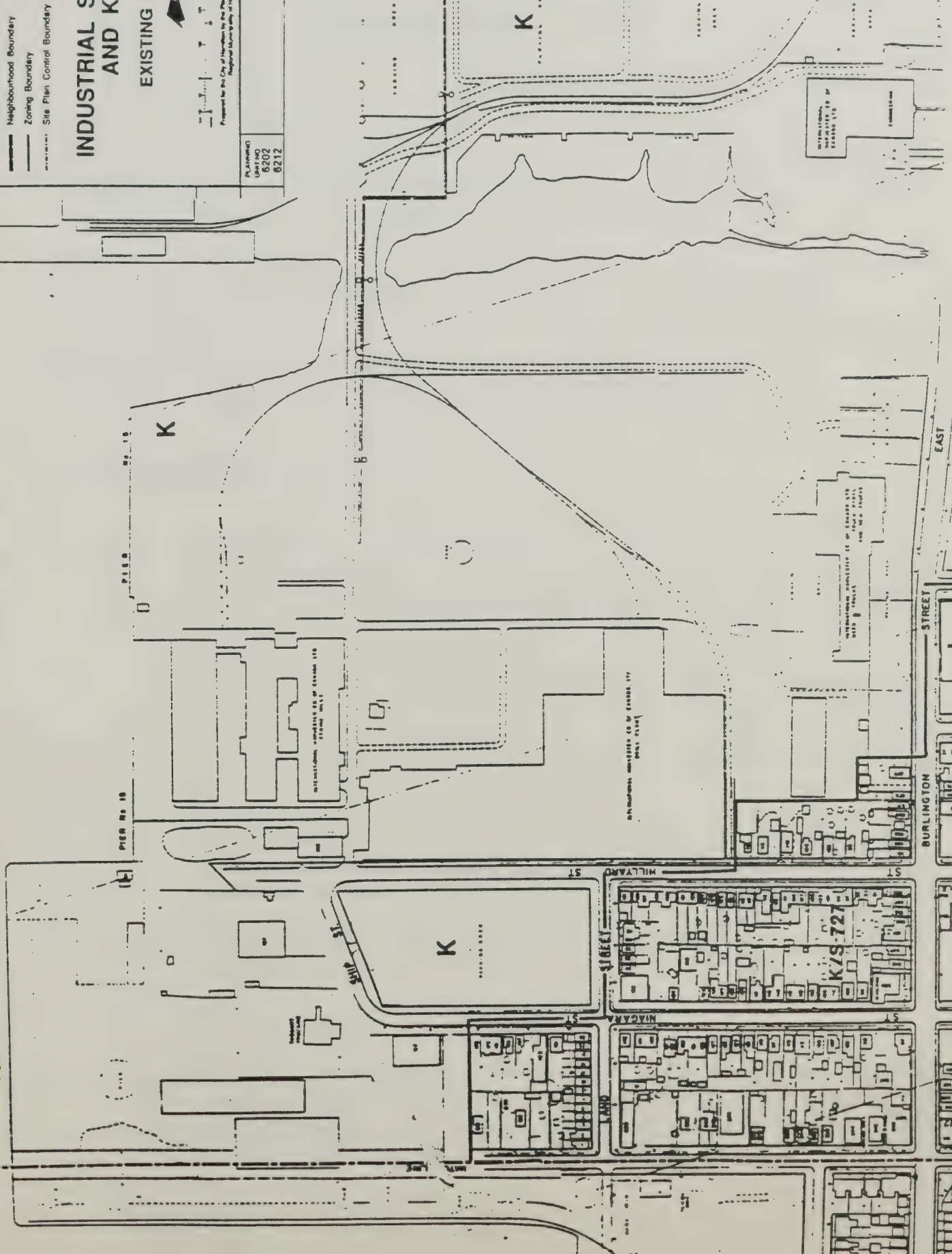
EXISTING ZONING



Prepared for the City of Hamilton by the Planning and Development Department  
Regional Municipality of Hamilton-Wentworth

PLANNING  
DEPT. NO.  
6202  
6212

PAGE NO  
70







2 (D)

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1993 October 7

**REPORT TO:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** D. W. Vyce  
Director of Property

RECEIVED

OCT 07 1993

CITY CLERKS

**SUBJECT:** Settlement of Expropriation  
part of 1477 Upper James Street - Albert Boxinbaum

**RECOMMENDATION:**

- a) i) That the following provisions be approved and completed of the Agreement by Owner To Accept Compensation, made by Albert Boxinbaum, on 1993 August 31, and scheduled to close on or before 1993 November 24, for land expropriated on 1989 September 25 for highway purposes, having a frontage of 40.234 metres (132 feet) along the easterly limit of Upper James comprising an area of .463 hectares (1.145 acres) (described as Parts 1 to 8 on Expropriation Plan No. 9535). This settlement includes final compensation at \$645,039.90; professional fees and disbursements (inclusive of G.S.T.) at \$31,559.56; plus 6% interest on unpaid compensation from 1989 September 25 to date of closing. (\$557,189.90 of the said compensation has already been paid to the former owner on 1990 October 4).
- ii) That the closing of the said expropriation settlement be conditional upon closing the purchase of adjacent land fronting on Upper James from Albert Boxinbaum authorized below. The Option to Purchase such land and the settlement of the said expropriation are to be accepted by Council concurrently and both property transactions are to be finalized contemporaneously.
- iii) That it is also understood and agreed,
- that a One Foot Reserve shall be located by the City along the easterly limit of the land expropriated (Part 7, Expropriation Plan No. 9535) and along the easterly limit of the land being purchased by the City (the westerly 180.245 metres (591.35 feet) more or less, of Part 14, Plan 62R-9741).

that Albert Boxinbaum, (his heirs, executors and administrators, successors, agents, and assigns) be granted a right-of-way over the southerly 10 feet of Parts 1,7 and 8, Expropriation Plan No. 9535 for access to link his remaining rear land with Upper James Street until Parts 1, 7 and 8 are part of the highway or until the owner of the remaining rear land pays its share of costs to remove the said one foot reserve, whichever occurs first.

- b) i) That an Option to Purchase Agreement, executed by the owner, Albert Boxinbaum, on 1993 August 31, scheduled to close on or before 1993 November 24, for the City's purchase of the remaining frontage of 1477 Upper James described as the westerly 180.245 metres (591.35 feet) more or less, of Part 14, Plan 62R-9741, comprising an approximate area of 0.26 hectares (0.642 acres) more or less, be approved and completed, for a purchase price of \$321,000.
- ii) That the closing of this City purchase be conditional upon closing the said settlement of the expropriation authorized above.
- c) i) That the City Treasurer recommend the method of financing the said expropriation settlement and the said purchase.
- ii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents for the settlement and the purchase.

  
\_\_\_\_\_  
D. W. Vyce

#### **FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The overall cost for the settlement of the expropriation inclusive of the purchase of the remnant parcel of vacant land, excluding the appropriate interest and legal fees incurred by the owner is \$966,039.90. This amount was derived as follows:

Gross Cost	\$966,039.90
Less monies paid out on 1990 October 4	<u>557,189.90</u>
Amount Outstanding	<b>\$408,850.00</b>

**BACKGROUND:**

On 1988 June 28, Council adopted Item 11 of the 10th Report of the Transport and Environment Committee approving the expropriation of the subject property which was required for roadway purposes necessary to implement the approved Ryckmans Neighbourhood Plan.

Pursuant to the expropriation, the City did, in accordance with the provisions set out in Section 25 of the Expropriation Act, on 1990 October 4, pay Mr. Boxinbaum compensation in the amount of \$557,189.90, which was based on an independent appraisal of the land expropriated.

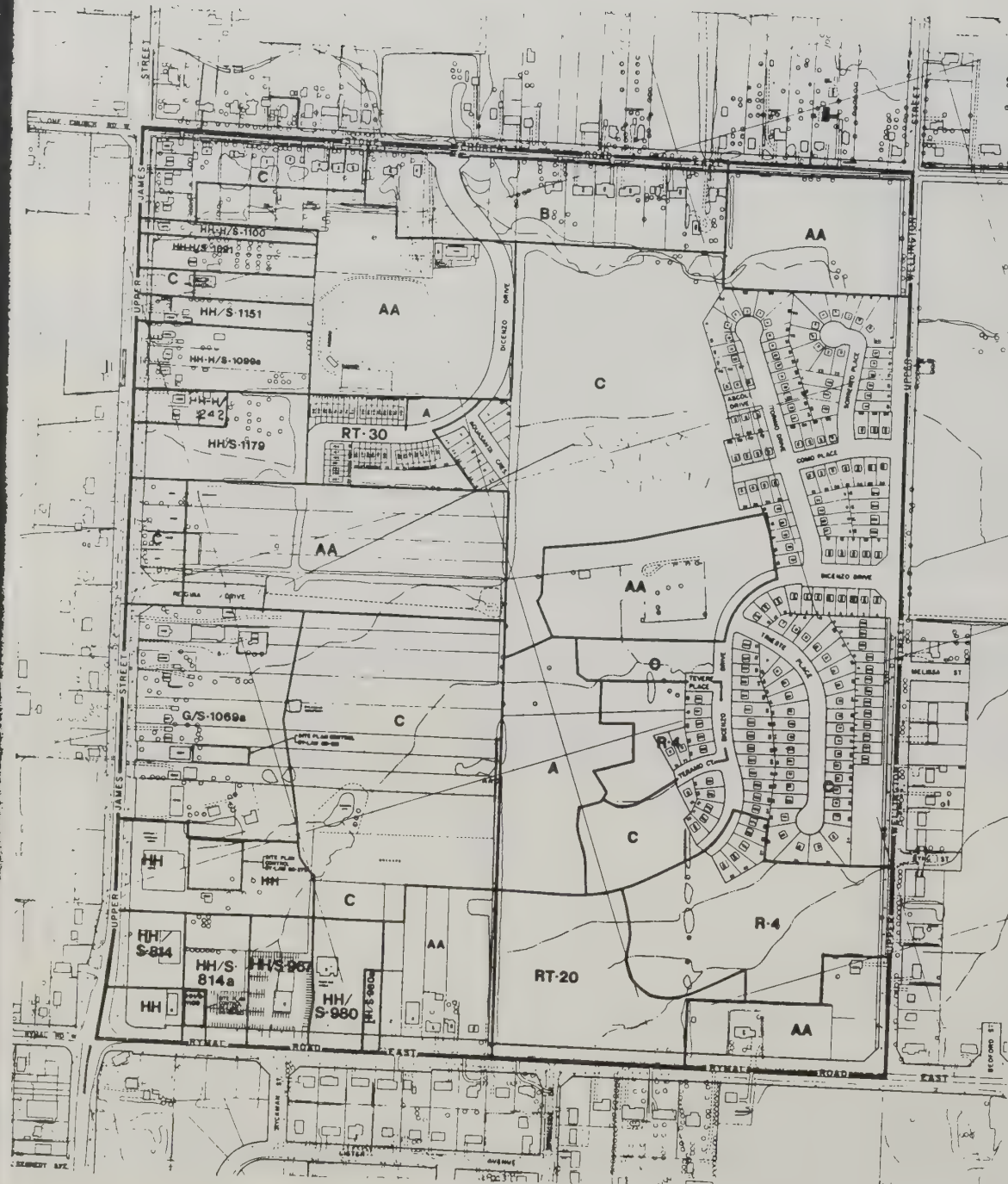
Subsequent to the Expropriation proceedings, a Board of Negotiation meeting was held on 1991 September 25 to discuss the issues of Market Value of the subject property, interest and an injurious affection claim regarding the remaining property owned by Mr. Boxinbaum that abuts the land expropriated for road purposes.

As a result of the Board of Negotiation meeting, a settlement was reached based on the following; firstly, additional payment for the expropriated land in the amount of \$87,850 plus interest as set out in the Expropriation Act, secondly payment of reasonable legal and appraisal fees incurred by the former owner as a result of the expropriation, and thirdly, purchase of Mr. Boxinbaum's remnant parcel of land fronting on Upper James Street.

KN/nw  
Attach.

c.c. Allan C. Ross, City Treasurer,  
P. Noé Johnson, City Solicitor,





<table border="1"> <tr> <td>86</td> <td>82</td> <td>33</td> </tr> <tr> <td>101</td> <td>119</td> <td>8</td> </tr> <tr> <td>83</td> <td>6</td> <td>24</td> </tr> </table> <p>This is not a Legal Document For Zoning Verification Please Contact City Building Department.</p> <p>Prepared for The City of Hamilton by the Planning and Development Department of The Regional Municipality of Hamilton - Wainwright</p>	86	82	33	101	119	8	83	6	24	<p>CITY OF HAMILTON</p> <p><b>RYCKMANS</b></p> <p><b>ZONING</b></p> <p>SCALE 1:500</p> <p>PLANNING UNIT NO. 7508</p> <p>PAGE NO. 119</p>
86	82	33								
101	119	8								
83	6	24								

AGREEMENT BY OWNER TO ACCEPT COMPENSATION

TO: The Corporation of the City of Hamilton

I, ALBERT BOXINBAUM, ("owner") hereby agree to settle my claim for compensation for the expropriation of property described as Parts 1 to 8 on expropriation plan number RC H289 Surveys registered on the 25th day of September, 1989 as Instrument no. 9535, known municipally as 1477 Upper James Street, on the following terms:

1. Balance of market value \$ 87,850.00
2. Simple interest at six per cent  
per annum on the balance of  
market value, calculated from  
September 25, 1989 to November 24, 1993 x
3. Simple interest at twelve per cent  
per annum on the balance of  
market value, calculated from  
~~September 25, 1989~~ to date of payment x  
November 24, 1993
4. Purchase by the City of a portion of  
Boxinbaum's remnant lands being the  
westerly 180.245 metres (591.35 ft)  
more or less of Part 14, Plan 62R-9741 321,000.00
5. Simple interest at twelve per cent  
per annum on the purchase price of  
\$321,000.00 itemized in the paragraph  
above from November 24, 1993 to date  
of closing x
6. Granting of a right of way, easement  
and/or right of access over the  
southerly 10 feet of Parts 1, 5, 7 & 8  
on Instrument no. 9535

7. The 1' reserve located along the easterly limit of the lands to be purchased by the City of Hamilton, described in number 74 above and on Part 7 on Instrument no. 9535 will be lifted in accordance with existing City and Regional policy at the time of the removal or lifting request. The costs of lifting or removal of the 1' reserves described above shall not include any costs associated with the land acquisition or servicing costs associated with the midblock collector municipal roadway for which the lands were expropriated. For greater certainty, the midblock collector municipal roadway ends at a point 66' west of the easterly limit of the proposed local municipal roadway;

- |                                    |           |
|------------------------------------|-----------|
| 8. Legal fees plus GST             | 18,000.00 |
| 9. Disbursements to be agreed upon | x         |

I agree that the above terms and conditions satisfy all claims for damages, costs, injurious affection or any other claim whatsoever arising out of the expropriation of the property.

I acknowledge that I have delivered vacant possession of the expropriated lands on the 16th day of May, 1990.

I further acknowledge that the City of Hamilton paid to me, on October 4, 1990, the following amounts:

- |  |               |
|--|---------------|
| 1. Market value, Section 25 Offer  | \$ 525,000.00 |
| 2. Interest on the Section 25 Offer from September 25, 1989 (date of registration of the expropriation plan) to the date of the payment of the Section 25 Offer, October 4, 1990 | 32,189.90     |



This Agreement is conditional upon my agreement as to the nature and form of the settlement documentation and/or Releases and Declarations to be prepared by the City of Hamilton for execution by Albert Boxinbaum, failing which this Agreement is null and void.

WITNESS my hand and seal at the City of Hamilton  
this 31st day of August, 1993.

WITNESS:

Erin Mangano

Albert Boxinbaum  
ALBERT BOXINBAUM

Solicitor's Name and Address

Manfred Rudolph  
15 Bold Street  
Hamilton, Ontario  
L8P 1T3  
(416) 529-3476

BETWEEN:

ALBERT BOXINBAUH

Hereinafter called "the Owner"  
OF THE FIRST PART:

Turkstra, Garrod, Hodgson  
15 Bold Street  
In care of Hamilton, Ontario L8P 1T3  
Attention: Manfred Rudolph

THE CORPORATION OF THE CITY OF HAMILTON

Hereinafter called "the City"  
OF THE SECOND PART:

In consideration of the sum of TWO----- DOLLARS (\$2.00) paid by the City to the Owner (the receipt whereof is hereby acknowledged) the Owner hereby grants to the City the sole and exclusive option, irrevocable within the time for acceptance herein limited, to purchase the following property owned by the Owner, namely the lands and premises situate in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth and being composed of part of Lot 14, Concession 8, in the geographic Township of Barton, now in the City of Hamilton, more particularly described as being the westerly 180.245 metres (591.35 feet) more or less, of Part 14, Plan 62R-9741, comprising an approximate area of 0.26 hectares (0.642 acres), as shown in heavy outline on Schedule "B" and known by the municipal address 1477 Upper James Street, Hamilton.

Forming part of this Option to Purchase are Schedule(s) A & B attached hereto.

The purchase price of the said property shall be the sum of THREE HUNDRED AND TWENTY-ONE THOUSAND and ----- DOLLARS  
89,100

The sum of \$2.00 already paid to (the agent for) the Owner as consideration for the granting of this Option, shall be credited to the City and allowed as part of the purchase price.

The Option hereby granted shall be open for acceptance by the City up to, but not after, the 19 day of Oct. 1993 and may be accepted by a letter mailed or delivered to the Solicitor at the above address. In the event that this Option is not accepted this Option and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the Owner shall be entitled to retain the said sum given as consideration for the granting of this Option.

In the event of and upon the acceptance of this Option by the City this Option and the letter accepting this Option shall then become a binding contract of purchase and sale between the parties hereto and payment of the said purchase price to the Owner shall constitute complete satisfaction to the Owner for all actions, claims and demands of the Owner for compensation for lands expropriated, for compensation for lands injuriously affected, if any, and for costs, if any, to which the Owner may be entitled by reason of the City having passed a by-law or by-laws expropriating the said lands or any part or parts thereof and for damages and costs, if any, by reason of the act, neglect or default by the City or by anyone on its behalf in respect of the said lands.

Provided that the title is good and free from all encumbrances, except as aforesaid and except as to any registered restrictions and covenants that run with the land, provided that such are complied with. The City is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Owner.

The City is to be allowed 15 days from the date of the acceptance of this Option to examine the title at its own expense. If within that time any valid objection to title is made in writing to the Owner which the Owner shall be unable or unwilling to remove and which the City will not waive the contract arising out of the acceptance of this Option shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and the deposit (including the sum paid for the granting of this Option) shall be returned by the Owner without interest and he and the agent shall not be liable for any costs or damages. Save as to any valid objection so made within such time the City shall be conclusively deemed to have accepted the title of the Owner to the real property.

The contract arising from the acceptance of this Option shall be completed on or before Nov. 24, 1993 on which date the Owner will convey the said lands to the City or to its nominee by a good and sufficient deed thereof in fee simple, free and clear of all encumbrances, save as aforesaid, and shall deliver vacant possession of the said lands to the City free of all tenancies, leasehold interests or any other rights or interests therein.

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

The Owner agrees to cancel and terminate all insurance pertaining to the said premises, no later than the actual date and time of closing and prior to the grant, conveyance or transfer of ownership and title to the purchaser, said cancellation and transfer shall be at the full cost and expense of the Owner.

Pending completion of the sale arising out of the acceptance of this Option the Owner will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the City may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Option whether accepted or not and have all monies theretofore paid (including the sum paid for the granting of this Option) returned without interest.

The Owner covenants and agrees with the City to do nothing to encumber the said property after the execution of this Option by the Owner prior to the completion or other termination thereof, and agrees that the City may, in the presence of the Owner or his representative inspect the property on the said date of completion, prior to closing the transaction.

It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.

This Option is to be read with all changes of gender or number required by its context.

Time shall be of the essence of this Option and of the contract arising from the acceptance thereof which shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

The Owner is not a spouse.

DATED at Hamilton this 31st day of August A.D., 19 93 .

SIGNED, SEALED AND DELIVERED  
in the presence of

*Susan Mary Sheeh*

)  
)  
) ALBERT BOXINBAUM  
) *Albert Boxinbaum* (Seal)  
)  
)  
)  
) (Seal)

~~The Undersigned Spouse of the Owner hereby consents to the disposition evidenced herein pursuant to the provisions of The Family Law Reform Act, 1978, S.O.1978, c.2, as the same may be amended from time to time.~~

In consideration of the sum of Two Dollars (\$2.00), (the receipt of which from the City is hereby acknowledged), the Undersigned Spouse of the Owner hereby agrees with the City that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

Year--Month--Day

\_\_\_\_\_  
Witness Spouse (Seal) Date



Property

1477 Upper James Street, Hamilton  
 Westerly 180.245 metres of  
 Part 14, Plan 62R-9741

Owner's Interest

ALBERT BOXINBAUM

Elements of Compensation

Market Value of Realty	<del>\$310,000.00</del>	\$ 321,000 <sup>00</sup>
TOTAL COMPENSATION	<del>\$310,000.00</del>	\$ 321,000 <sup>00</sup>

It is a condition of this Option to Purchase that the "Agreement by Owner to Accept Compensation" dated August 31, 1993 for the City of Hamilton's expropriation from Albert Boxinbaum of Parts 1 to 8 on Expropriation Plan RC H 289 Surveys, registered on the 25th day of September, 1989, as Instrument No. 9535, be accepted and be closed contemporaneously with the lands described in this Option on the closing date set out herein.

It is understood and agreed that there will be a One Foot Reserve located along the easterly limit of the hereindescribed lands and on Part <sup>local</sup> 7<sub>1</sub> on Instrument No. 9535 of the lands expropriated that will prevent access from the ~~municipal~~ roadway to be constructed on the subject and expropriated lands to the remainder of the Part 14, 62R-9741 lands still retained by Albert Boxinbaum. This One Foot Reserve may be removed in accordance with existing City and Regional policy at the time of the removal request. The present policy requires payment from the abutting landowner for the costs of municipal water and sewer services, road construction and land acquisition to reflect the apportioned costs of one half of the flanking road width, being Part 8, Plan no. 62R-9535.

successors

It is understood and agreed that Albert Boxinbaum, <sup>his heirs, executors, administrators, and assigns</sup> shall be allowed a right of access over the southerly 10 feet of Parts <sup>5, 7</sup> and 8 on Instrument No. 9535 until such time as those parts become incorporated into the municipal roadway system.

Dated at Hamilton, Ontario this 34<sup>th</sup> day of August 1993

WITNESS:

Susan Mary Sheehy

Albert Boxinbaum  
 ALBERT BOXINBAUM

11:57.20





CITY OF HAMILTON

- RECOMMENDATION -

2(Ex1)

DATE: 1993 October 12

REPORT TO: Chairman and Members  
Transport and Environment Committee

FROM: Kevin C. Christenson, Secretary  
Transport and Environment Committee

SUBJECT: Ontario Good Roads Association  
1994 Annual Conference  
1994 February 20 to February 23  
Toronto, Ontario

RECOMMENDATION:

- (a) That the Chairman or his designate be authorized to attend the 1994 Ontario Good Roads Association 1994 Annual Conference to take place on 1994 February 20 to February 23, Toronto, Ontario.
- (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1994 Operating Budget.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Costs to be charged to Aldermen Travel Account No. CH55201 10010

BACKGROUND:

Attached is a Schedule of Events and Convention Outline

Attachment



## ONTARIO GOOD ROADS ASSOCIATION

### 1994 ANNUAL CONFERENCE

#### ACCOMMODATION INSTRUCTIONS AND IMPORTANT INFORMATION

OFFICE OF THE CITY CLERK

SEP 27 1993

REC. BY *SP* DATE  
REF'D TO  
REF'D TO *K.C.* DATE  
REF'D TO DATE

ACTION: *F.Y.A.*

1. Reservations must be received before January 31, 1994. After this date, all convention room blocks will be released, and any requests for room reservations must be negotiated with hotels directly.
2. No telephone reservations will be accepted. Reservations will be processed only if received on the official Housing Bureau form, or a photocopy thereof. One form must be completed for each room requested.
3. Acknowledgements will not be mailed out from the Housing Bureau before October 15, 1993. Please allow at least 10 days for receipt of this acknowledgement. Hotel confirmations will follow the Housing Bureau acknowledgement.
4. A deposit of \$100 per room, **payable to OGRA Housing Bureau**, must accompany each written request. Payments acceptable include personal cheque, bank draft, money order and certified cheque. In lieu of deposit, credit card information is acceptable. Please note that a credit card number will act only as a room guarantee - there will be no charge to the card unless the delegate cancels within 72 hours of arrival.
5. Hotel reservations are made on a first come first served basis. Please mail early.
6. Send only one form if sharing with a colleague. Multiples cause duplication and possible double charging.
7. For your own records, please keep a photocopy of your original housing form.
8. Prior to January 31, 1994, all changes must be made in letter form only. Phone calls will not be accepted. After this date, modifications can be made with the hotel directly.
9. If cancelling, you must notify the Housing Bureau by mail, or phone the hotel directly if you are cancelling after January 31, 1994, to avoid billing. You must cancel 72 hours before expected date of arrival.
10. If requesting reservations after January 31, 1994, you should contact the hotel(s) directly. You may wish to use the services of Accommodation Toronto at 416-629-3800, which has information on current room availability in Metro Toronto. Convention rates cannot be guaranteed after January 31st.

Rates over . . . .



## ONTARIO GOOD ROADS ASSOCIATION

### ANNUAL CONFERENCE

FEBRUARY 20th to 23rd, 1994

### SCHEDULE OF HOTEL RATES

#### **HARBOUR CASTLE WESTIN**

1 Harbour Square  
416-869-1600

Single Bedroom - \$110  
Double Bedroom - \$110

#### **CROWN PLAZA (formerly L'HOTEL)**

225 Front Street West  
416-597-1400

Single Bedroom - \$115  
Double Bedroom - \$125

#### **ROYAL YORK HOTEL**

100 Front Street West  
416-368-2511

Single Bedroom - \$109	Small Suite - \$435
Double Bedroom - \$124	Medium Suite - \$535
Junior Suite - \$295	Large Suite - \$685 and up

#### **SHERATON CENTRE**

123 Queen Street West  
1-800-387-4112

Single Bedroom - \$99  
Double Bedroom - \$99

#### **STRATHCONA HOTEL**

60 York Street  
416-363-3321

Single Bedroom - \$49.95  
Double Bedroom - \$49.95

(Note: All rates are subject to PST and GST, if applicable)

**PRIOR TO JANUARY 31, 1994, ALL RESERVATIONS MUST BE MADE USING THE OFFICIAL HOUSING FORM. AFTER THAT DATE, PLEASE CONTACT THE HOTELS DIRECTLY FOR CANCELLATIONS AND CHANGES.**

Information over . . . .





# ONTARIO GOOD ROADS ASSOCIATION

1994 ANNUAL CONFERENCE

February 20th to 23rd  
Royal York Hotel

## OFFICIAL HOUSING FORM

To reserve a room, please complete this form and mail with deposit  
or credit card number to:

OGRA Housing Bureau  
P.O. Box 126  
Suite 509  
207 Queen's Quay West  
Toronto, Ontario M5J 1A7

OR  
FAX to:  
(416) 367-9088

NOTE: One form must be completed for each room requested.

Name of Person requesting room:

Surname

Given Name

Name of Municipality/Company/Organization

Street Address or P.O. Box Number

City/Town, etc.

Postal Code

( )  
Telephone (include Area Code)

( )  
Fax

Name of Contact Person

( )  
Telephone

Arrival Date

Departure Date

Room Type:	Single	(1 person, 1 bed)	
	Double	(2 people, 1 bed)	
	Twin	(2 people, 2 beds)	
	Suite	(size)	
			1 or 2 bedrooms

Hotel Choice. Please number 2 choices

Royal York Hotel \_\_\_\_\_  
Crown Plaza (formerly L'Hotel) \_\_\_\_\_  
Sheraton Centre \_\_\_\_\_

Harbour Castle Westin \_\_\_\_\_  
Strathcona Hotel \_\_\_\_\_

Sharing Room With

I am enclosing a deposit cheque in the amount of \$ \_\_\_\_\_ Payable to OGRA Housing Bureau  
(\$100 per room minimum)

OR

I am enclosing credit card information

Visa \_\_\_\_\_ Master Card \_\_\_\_\_ American Express \_\_\_\_\_

# \_\_\_\_\_ Expiry Date \_\_\_\_\_

Signature \_\_\_\_\_

# ONTARIO GOOD ROADS ASSOCIATION

## 1994 CENTENNIAL CONFERENCE

OGRA's 1994 centennial conference promises to be unique and exciting. Come savour the celebration of our special anniversary. Here is a preview of February 20 - 23, 1994:

- \* Each delegate will receive a special edition Ontario road map featuring one hundred years of roads.
- \* A half-hour video entitled *One Hundred Years on the Open Road* will be premiered.
- \* Each delegate will receive a copy of OGRA's centennial book *Turning 100 Together: Ontario Roads and Road Makers 1894 to 1994* - a pictorial history of Ontario roads.
- \* Each companion will receive a commemorative centennial spoon.
- \* Delegates and companions will attend a gala evening starting at the Royal York Hotel and ending at Roy Thomson Hall, featuring Rich Little, master of mimicry, and accomplished singer, comedian and actor.
- \* Program sessions will feature special speakers and topics addressing municipal roads and transportation *in the next century*.
- \* The dedication of an historical section of road will be announced.
- \* The roads equipment and services trade show will once again feature the most current technologies and information, but will also include photos and artifacts from the past.

**Only at OGRA's 1994 Annual Conference**

**And only with the generous support of OGRA's Centennial Supporters**

*Municipal supporters: County of Simcoe, Towns of Geraldton and Penetanguishene, and Townships of Anson, Hinden & Minden, Front of Yonge, Mara, Stanhope, Sunnidale, and Tiny.*

*Road Superintendent Association supporters: Bruce, District #8, Elgin, Haliburton, Lambton, Middlesex, Niagara, Northumberland, Oxford, Renfrew, Simcoe, Victoria and West Parry Sound.*

**Please see reverse for Corporate Supporters**

**Thank you  
OGRA  
Corporate  
Centennial  
Supporters**



Champion Road Machinery Sales Ltd  
General Chemical Canada Ltd

Royal York Hotel



Frank Cowan Company Limited  
Laidlaw Waste Systems Ltd  
The Canadian Salt Company Limited

Atlantic Industries Canada Ltd	Allan G. Cook Ltd	McCormick Rankin and Associates Limited
Big 'O' Inc.		McNeely Engineering Consultants Ltd
R.J. Burnside & Associates Limited		Meridian Clemmer Industries Ltd
Fenco-Maclaren Inc.		MIG Engineering Ltd
Filuma Door Company Limited		Morrison Hershfield Limited
Hatch Associates Ltd		Norjohn Limited
Joe Johnson Equipment Inc.		Powerscreen Rental Systems Ltd
John Emery Geotechnical Engineering Limited		Proctor and Redfern Limited
Koch Materials Ltd		Reid and Associates Limited
Laidlaw Transit Ltd		Totten Sims Hubicki Associates (1981) Limited
Marshall Macklin Monaghan Limited		Triton Engineering Services Limited







## ONTARIO GOOD ROADS ASSOCIATION

530 OTTO ROAD, UNIT 2  
MISSISSAUGA, ONTARIO  
L5T 2L5  
TELEPHONE 416-795-2555  
FAX 416-795-2660

September 24, 1993

### CALL FOR RESOLUTIONS

Municipalities wishing to submit resolutions to be debated at the 1994 Annual Conference are requested to do so prior to January 1, 1994.

In drafting resolutions, please keep the following points in mind:

- resolutions should deal with issues that are province-wide, and should **not** address local or parochial issues and problems.
- resolutions should state clearly a desired action and should accurately identify the jurisdiction to which the resolution is directed (e.g. ministry, department, etc.)
- where possible, a resolution should be accompanied by supplementary background information - this is useful to the Resolutions Committee in making its recommendation on the resolution.

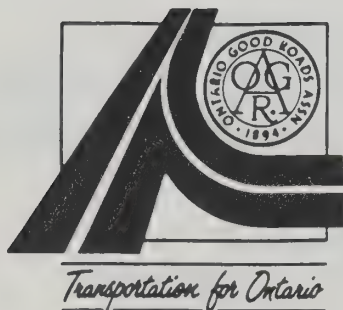
In recent years, OGRA has dealt with resolutions on a variety of issues, including funding, disentanglement, the environment, and health and safety. Resolutions endorsed at the OGRA Annual Conference will be discussed with pertinent Ministers following the Conference.

Resolutions to be debated at the Conference will be sent to all members of OGRA in January, 1994.

Resolutions will be debated at 3:00 p.m. on Monday, February 21, 1994, in the Canadian Room of the Royal York Hotel in Toronto.

\* \* \*





## ONTARIO GOOD ROADS ASSOCIATION

530 OTTO ROAD, UNIT 2  
MISSISSAUGA, ONTARIO  
L5T 2L5  
TELEPHONE 416-795-2555  
FAX 416-795-2660

September 24, 1993

To the OGRA Membership:

As in the past, the Ontario Good Roads Association will recognize employees who have given long years of service in the cause of good roads by presenting to them **Long Service Certificates**.

It would be appreciated if you would complete and return the enclosed questionnaire advising us of any employee who is eligible under the conditions noted below to receive a certificate.

The following are the eligibility requirements:

1. That recipients of long service awards will have served a minimum of 30 years in the road industry employed in the municipal and/or private sectors.
2. That recipients of long service awards will have retired from their employment or will be retiring within one year of the Annual Conference at which the award will be given.
3. That the immediately previous or current employer be a member in good standing of the Ontario Good Roads Association.

The deadline for receipt of nominations is **January 31, 1994**.

Presentation of certificates will be made at a luncheon on Tuesday, February 22, 1994, during the OGRA Annual Conference, and all eligible recipients will be notified directly by OGRA.

Yours truly,

Sheila Richardson  
Executive Director



**1994 LONG SERVICE AWARD**

QUESTIONNAIRE

Please print clearly or type all information.

My nomination for an OGRA Long Service Award Certificate is:

Name: \_\_\_\_\_

Date of Retirement: \_\_\_\_\_

Position Immediately Prior to Retirement: \_\_\_\_\_

Municipality/Company: \_\_\_\_\_

Business Address: \_\_\_\_\_

\_\_\_\_\_

Postal Code: \_\_\_\_\_ Bus. Telephone: \_\_\_\_\_

Home Address of Nominee: \_\_\_\_\_

\_\_\_\_\_

Postal Code: \_\_\_\_\_ Res. Telephone: \_\_\_\_\_

Total length of service in road industry: \_\_\_\_\_ years

Personal Background: Please see reverse.

Nominated by: \_\_\_\_\_

name

title

Municipality/Company: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_

**DEADLINE FOR RECEIPT OF NOMINATIONS: January 31, 1994**

Return completed questionnaire to:

Ontario Good Roads Association  
530 Otto Road, Unit 2  
Mississauga, Ontario L5T 2L5

... over



## LONG SERVICE AWARD

## EMPLOYMENT SUMMARY

## PLEASE COMPLETE THE FOLLOWING

Name of Nominee: \_\_\_\_\_

Please complete the following information covering total service in road industry:

YearsPositionMunicipality/Company\_\_\_\_\_  
Personal Background Information:

(Please highlight any significant accomplishments, activities and/or interests.)

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**CITY OF HAMILTON**  
**- RECOMMENDATION -**

2 (EXii)

**DATE:** 1993 October 12

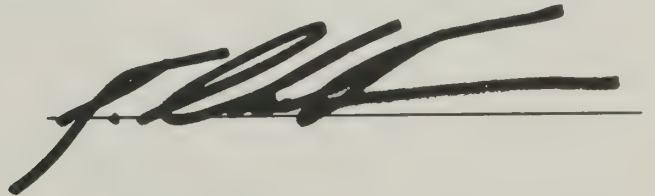
**REPORT TO:** Chairman and Members  
Transport and Environment Committee

**FROM:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**SUBJECT:** Information Reports

**RECOMMENDATION:**

That the attached list of Information Reports previously distributed to the Transport and Environment Committee, be received.

A handwritten signature in dark ink, appearing to be 'J. Christenson', written over a horizontal line.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:** N/A

**BACKGROUND:**

Attachment





**REPORTS**  
**TRANSPORTATION AND ENVIRONMENT**  
**COMMITTEE**

<b>Date</b>	<b>From</b>	<b>Subject</b>	<b>Date</b>
1993 September 14	Doug Lobo Director of Public Works	Garbage Collection - Disposal of Refrigeration Units	1993 September 21

K. C. Christenson, Secretary  
1993 October 18



2, 1(c)

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** 1993 August 30

**REPORT TO:** Mr. Kevin C. Christenson, Secretary  
Transport and Environment Committee

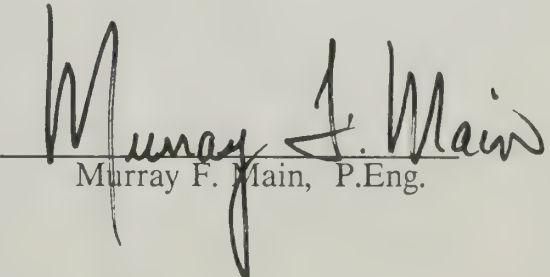
**FROM:** Mr. Murray F. Main, P. Eng.  
Director of Traffic Services

**SUBJECT:**

Intersection of Brucedale Avenue East and East 8th Street - Intersection Control. [TEC-202-93]

**RECOMMENDATION:**

That no action be taken on the request for four-way stop control at the intersection of Brucedale Avenue East and East 8th Street.

  
Murray F. Main, P.Eng.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Erecting stop signs on East 8th Street at Brucedale Avenue East would result in increased motor vehicle operating costs in the order of \$10,000.00 per year.

**BACKGROUND:**

In report TEC-299-91 the Traffic Department reported respecting the intersection control on Brucedale Avenue at Prince George Street and at East 8th Street. It was determined that the intersection of Brucedale and Prince George met the criteria for all-way stop control because of its close proximity to two elementary schools and also, that it would be appropriate to reverse the direction of stop control at Brucedale and East 8th from northbound and southbound stops to eastbound and westbound stops to provide an adequate stop control pattern by stopping eastbound and westbound traffic at approximately two block intervals between Upper James and Upper Wellington Streets. These recommendations were approved by the City Council on 1992 February 11.



Alderman Terry Anderson has now forwarded to the Traffic Department a copy of a petition containing approximately 50 signatures requesting that four-way stop control be implemented at the intersection Brucedale and East 8th.

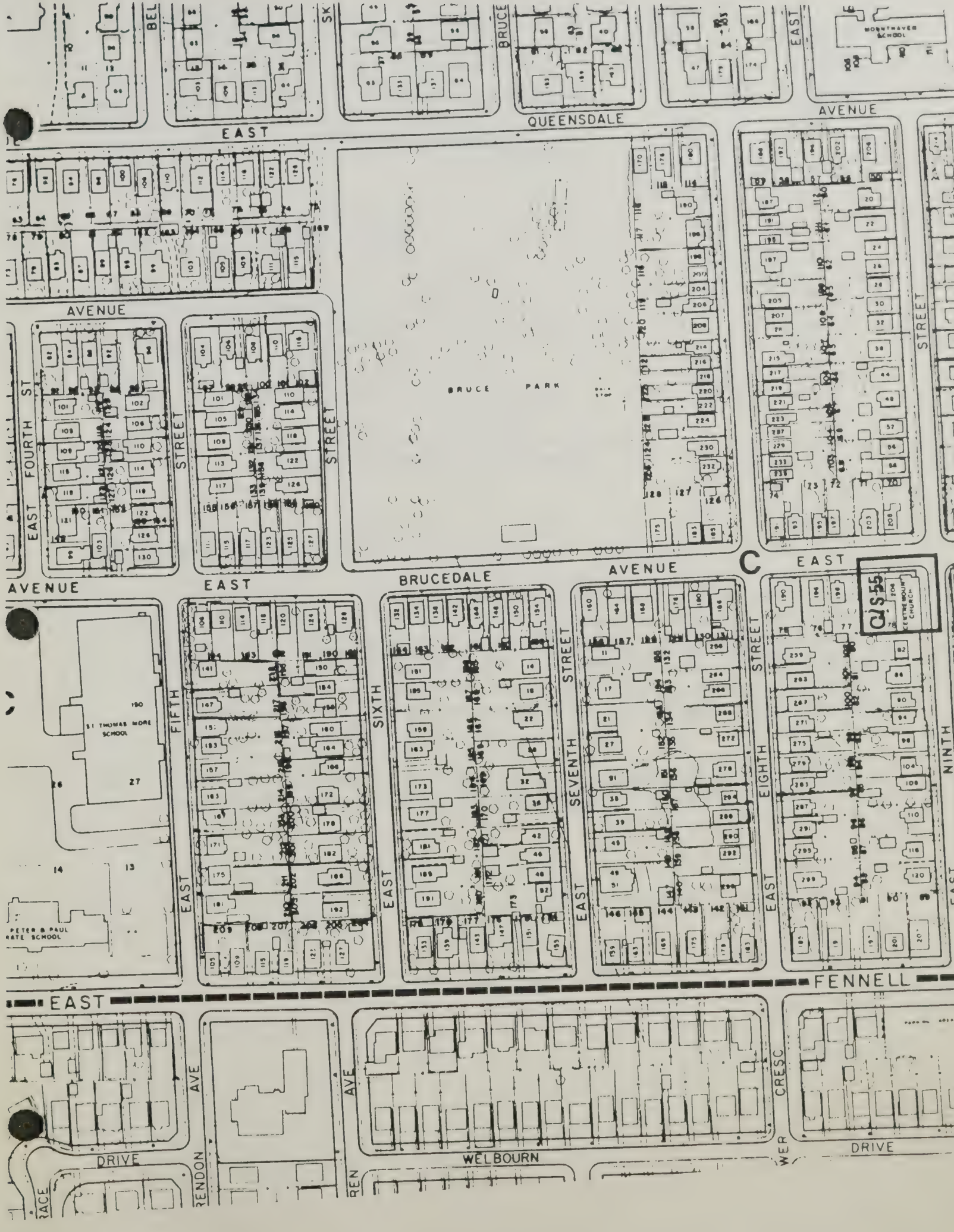
The Traffic Department has assessed this request and has its usual concerns respecting the use of unwarranted all-way stop control including the fact that there is no collision problem at this intersection, unnecessary stop signs have extremely harmful environmental affects, stop signs have no effect on the speed and volume of traffic, and unwarranted stop signs create disrespect by motorists to the extent that the observation of stop signs is deteriorating every year.

Records indicate that there has been only one reported collision at this intersection in the past six years and the collision occurred in 1990. This is a very good collision record for this type of intersection.

Northbound and southbound traffic on East 8th is required to stop at two of three intersections between Queensdale and Fennell, and prior to the switch in the direction of stop control was required to stop at all three of the intersections between Queensdale and Fennell. Stopping northbound and southbound traffic at all three of these intersections is considered to be over-restrictive and unnecessary.

For the above reasons, the Traffic Department does not recommend the implementation of four-way stop control at the intersection of Brucedale and East 8th.

*list*  
MH/ca







3.

CITY OF HAMILTON

- RECOMMENDATION -

**DATE:** September 23, 1993  
E308-02C C. Rodgerson

**REPORT TO:** K. Christenson, Secretary  
Transport and Environment Committee

**FROM:** P.J. Halliday Senior Director  
Environmental Services Department

**SUBJECT:** Management Board Secretariat Consolidation  
of PCB at Hamilton Psychiatric Hospital

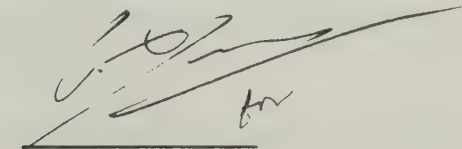
RECEIVED

SEP 24 1993

CITY CLERKS

**RECOMMENDATION:**

- a) That the West Central Region Branch of the Ontario Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to the transfer and storage of PCB waste by the Management Board Secretariat to their Hamilton Psychiatric Hospital PCB storage site; provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-Laws are complied with fully.
- b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOEE for their information.

  
P.J. Halliday

Cont'd....

**Management Board Secretariat Consolidation  
of PCB at Hamilton Psychiatric Hospital**

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

MOEE policies and regulations concerning the transfer and movement of PCB contaminated waste from one political jurisdiction to another permit the receiving municipality to comment on the proposed activity, and to have input into the Ministry's approval process.

The final determination, and the provision of the approval however, is at the MOEE's discretion.

**BACKGROUND:**

The West Central Region Office of the MOEE has received a proposal from the Management Board Secretariat (formerly the Ministry of Government Services) for the transfer and storage of PCB wastes from properties in Niagara Falls to their PCB waste storage site at Hamilton Psychiatric Hospital.

The PCB waste was generated in the demolition of six properties in Niagara Falls. The Niagara Falls properties will be utilized for the construction of new government offices. These offices will not be constructed for two to three years requiring the PCB wastes to be transferred off-site.

The 166 ballasts have been identified, collected and stored in two 205 litre metal barrels which come with proper labelling and absorbent packing material. To ensure the long term safe storage of PCB wastes the Management Board Secretariat would like to consolidate the PCB wastes generated in Niagara Falls at the Hamilton Psychiatric Hospital PCB storage site, site number 20188A246.

All the necessary permits and approvals to transport PCB materials into the consolidated site will be acquired after comment from the Region of Hamilton-Wentworth has been received.

A copy of the letter received from the Management Board Secretariat with respect to their request has been attached for further information.



Management  
Board  
Secretariat

Secrétariat  
du Conseil  
de gestion

Project Management  
Branch  
720 Bay Street, 4th Floor  
Toronto, Ontario  
M5G 2K1

Telephone: 326-4866  
Facsimile: 326-4871

Direction de la  
gestion des projets  
720 rue Bay, 4e étage  
Toronto, Ontario  
M5G 2K1

Téléphone: 326-4866  
Télécopieur: 326-4871

September 14, 1993

Mr. Joe Schatz  
City of Hamilton  
City Clerk's Department  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

Dear Mr. Schatz:

**RE: Ontario Government Relocation Program  
Ministry of Culture, Tourism and Recreation  
Niagara Falls, Ontario, Project No.: 75029**

Please be advised that the Management Board Secretariat wishes to transfer and store PCB waste in our Hamilton Psychiatric Hospital and seek your agreement to the transfer through your City.

The PCB waste in the form of 166 ballasts, was generated in the demolition of six properties on our new office site in Niagara Falls. The ballasts have been identified, collected and stored in two metal 205 litre barrels which come with the proper labelling and absorbent packing material.

We have advised the Ministry of Environment and Energy and we have commenced the required approval process with them. Our contact and the person you should get in touch with if you have any technical questions, is:

Ms Deanna Johnson  
Ministry of Environment and Energy  
12th Floor, Ellen Fairclough Building  
119 King Street  
Hamilton, Ontario  
L8N 3Z9

(416) 521-7640

.../2



- 2 -

The demolition process will be completed by the end of this month. We, therefore, request you to consider this matter as quickly as possible.

Please advise me of the time frame involved and contact me if you require any further details.

Yours truly,



John P. Iannone  
Project Manager

cc: Deanna Johnson  
John Orser  
Albert Manente  
Joe Nazereth

e:SchmD, John

4.

**CITY OF HAMILTON  
- INFORMATION -**

**DATE:** October 12, 1993

**REPORT TO:** Kevin C. Christenson, Secretary  
Transport and Environment Committee

**FROM:** L.C. King, P.Eng.  
Building Commissioner

**SUBJECT:** 355 MacNab Street North - Building Permit for  
Private Garage (93.2.4.2.1.A)

**BACKGROUND:**

At its meeting held August 23, 1993, the Transport and Environment Committee discussed the issue of a storage garage erected in the rear yard of 355 MacNab Street North.

After consideration and following an in-camera session, the Committee asked for a report specifically addressing four issues.

On September 20, 1993 the matter was considered again by the Committee and Alderman Agro requested that the four issues be examined with respect to a lane rather than an alleyway, and to changes to the building size rather than the lot size.

1. Why no one would be notified that the alleyway (lane) was to be closed to residents after it had been open for almost 100 years?

The City has no record of an alleyway established at this location. At the time of building permit issuance, a meeting was held with Regional Engineering staff to confirm that the alleyway at the rear of the properties was not public and that the lands shown by the applicant were private lands. A further title search by the Law Department confirmed that there is no public alley at the rear of 355 MacNab Street North.





October 12, 1993

2. Whether the owner of 355 MacNab Street North changed plans midstream by enlarging his property (building) from the original 30' x 117' to 30' x 123'?

**The property size (lot size) of 355 MacNab Street North did not change during the building permit issuance process. The owner did change the size of the garage proposed to be built after the issuance of the initial building permit.**

3. If the owner did change plans as per question #2, how did this happen?

**The original building permit issued on March 23, 1992 was for a 22' x 24' private garage. On June 2, 1992, the owner attended the Building Department and changed the building plans to an irregular shaped private garage, 14' x 28'4" with a widened section 15'0" x 5'0".**

4. If the owner did change plans as per question #2, who is responsible?

**A revised building permit was issued on June 2, 1992 incorporating the changed building size.**

October 12, 1955

James C. Christensen, Esq.  
Houston and Environmental Committee

Whether the owner of 255 Madison Street (East) changed plans subsequent to  
receiving the property (including from the original 255 to 1357)

The property was first sold to 255 Madison Street (East) and was changed  
of the Madison Street (East) property. The owner then changed the name  
of the property to be sold after the purchase of the Madison Street  
property.

If the owner of 255 Madison Street (East) changed plans as per question #2, how did this happen?

The original Madison Street (East) was located on March 12, 1955 was not a 255  
Madison Street (East) but was a 1357. The owner changed the Madison  
Street (East) and changed the building plans to be changed after the  
property was a 255 with a widened section 1357 to 255.

If the owner of 255 Madison Street (East) changed plans as per question #2, how is this possible?

A revised building permit was issued on June 1, 1955 and the building  
plans were changed.







HAMILTON PUBLIC LIBRARY



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